

Agenda Item	7.3
Report No	PLS-19-24

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 30 April 2024

Report Title: 23/00259/S37: Scottish and Southern Electricity Networks
Land 95M SE Of Dundreggan Dam, Glenmoriston

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Installation of an electric line above ground with a voltage of 132 kV between the proposed Bhlaraidh Extension Windfarm substation and the Fort Augustus Substation within Auchteraw

Ward: 12 – Aird and Loch Ness

Development category: National Development (Section 37 Application)

Reason referred to Committee: Section 37 Application under Electricity Act

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 19km, between the Bhlaraidh Extension Windfarm and Fort Augustus substation, in order to connect the wind farm extension to the national grid. At the South Planning Applications Committee of 8 February 2022, members elected to raise no objection to the Bhlaraidh Extension Windfarm, under 21/04080/S36, as per the Case Officer's recommendation contained within the report of handling.
- 1.2 The proposed development comprises:
- Approximately 14.5 km of 132 kV overhead line (OHL) to be supported by trident H wood poles.
 - Sealing end structures to transfer the OHL connection underground;
 - Upgrades to existing access tracks and access points;
 - New temporary access routes;
 - Hardstanding areas and associated access track and working areas around infrastructure to facilitate construction.
- 1.3 The project requires ancillary development in the form of new and upgraded access tracks. It is anticipated that approximately 20m of new stone, permanent access track would be required, with access thereafter maintained by upgrading existing tracks in the area. The development will also require an operational corridor of up to 36m either side of the OHL to facilitate safe operation and maintenance access.
- 1.4 The connection from the Bhlaraidh Extension Wind Farm will be run underground for approximately 3km, due to technical constraints in the vicinity and a further section of approximately 2km of underground line will connect the overhead section into the Fort Augustus Substation, given concern over forestry around this facility. The transition from overhead to underground line will be made via two sealing end structures, which will carry the cables into the ground. The works to install the underground cable will be carried out under the Applicant's permitted development rights as a Statutory Undertaker under Class 40 (1)(a) of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended.
- 1.5 The proposed overhead line would originate at a point north of Levishie forest where the underground section from the Bhlaraidh Extension Wind Farm on-site substation would change to overhead line. From this point, it would head south following the west side of an existing access track into Levishie forest, and then turn to the south-west near the residences at Bhlaraidh, north of the A887. It would continue south-west along the north side of the A887. It would cross to the south side of the A887 and the River Moriston approximately 1.2 km downstream of the Dundreggan Dam. It would then turn westward and follow a heading roughly parallel to the river along the north edge of Portclair Forest to an existing

wayleave corridor serving the Beauly to Denny overhead line. The proposed connection would then pass beneath the Beauly – Denny OHL and take a path south-east to the junction with the underground section approximately 2 km from Fort Augustus substation.

- 1.6 The application is for the overhead line to be sited and contained within Limits of Deviation (LOD). The LOD are designed to allow flexibility in the final siting of individual H poles to reflect topographical, engineering and environmental constraints. A 100m horizontal LOD has been identified which would equate to 50m on either side of the proposed OHL alignment.
- 1.7 The anticipated construction period for the development is 22 months, however, this is based on the proposal for the works to be undertaken 7 days a week.
- 1.8 The proposed development is classed as national development in National Planning Framework 4 (NPF4). In Annex B – National Developments Statement of Need 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure "supports electricity generation and associated grid infrastructure throughout Scotland, providing employment and opportunities for community benefit, helping to reduce emissions and improve security of supply." National development 3 accords national development status to electricity transmission that includes new and/or replacement upgraded on and offshore high voltage electricity transmission lines, cables and interconnectors of 132kV or more along with new and/or upgraded infrastructure directly supporting on and offshore high voltage electricity lines, cables and interconnectors including converter stations, switching stations and substations.
- 1.9 It had previously been confirmed to the applicant under that an Environmental Impact Assessment (EIA) would not be required in relation to the proposals (21/05668/SCRE). However, an Environmental Appraisal (EA) report, has been submitted with the application, covering route selection and alternatives, a description of the final proposed development, landscape and visual impact, ecology, ornithology, soils and hydrology, cultural heritage and forestry. The report contains a schedule of mitigation for the proposed works. The applicant has also included a planning statement with their submission.
- 1.10 Variations made to the proposed development during the application's determination include:
 - Further information on Forestry and Biodiversity Net Gain proposals associated with the works; and
 - Updated plans and an updated planning statement to address the considerations of NPF4.

2. SITE DESCRIPTION

- 2.1 The site covers a length of approximately 15km heading north from the Fort Augustus Substation to Torgyle Bridge, east along the valley of the River Moriston before turning north at Bhlàraidh to connect with the Bhlaraidh Extension Wind Farm substation. The route along the line consists mainly of upland forestry and moorland. Forestry tracks are present in the surroundings.

Due to the scale of the proposed route, access would potentially be taken from multiple points in the wider area, including from the public road network. The A887 Trunk Road runs along the foot of the river valley from Invermoriston to Bun Loyne.

- 2.2 The proposed connection route crosses the River Morriston which is designated as a Special Area of Conservation (SAC) for its internationally important populations of Atlantic Salmon and Freshwater Pearl Mussel. While the wider area includes the Ness Wood SAC, 2.4km distant and the Levishie Wood Site of Special Scientific Interest (SSSI), 1.1km distant, these assets are not considered to have any connectivity with the site.
- 2.3 Areas of Class 1 Peatland are present in the northern section of the route study area and in parts of surrounding forest complex. There are also multiple sites designated as Inventory Ancient Woodland along the proposed routing.
- 2.4 The route and its environs have the potential to support a range of protected species. Evidence of badger, otter and pine marten was found through surveys carried out in support of the environmental appraisal.
- 2.5 Four sites of with statutory designations for ornithological features are located within 20km of the proposed route: The West Inverness-Shire Lochs Special Protection Area (SPA) / SSSI, the Loch Knockie and Nearby Lochs SPA / SSSI, the North Inverness Lochs SPA and the Glen Affric to Strathconon SPA. Ornithological surveys have identified bird species of conservation concern within the route area, including black grouse, golden plover, greenshank, merlin and osprey.
- 2.6 The overhead element of the proposed route extends over three of Nature Scot's identified landscape character types (LCT): LCT 220 – Rugged Massif – Inverness, LCT 222 – Rocky Moorland Plateau Inverness and LCT 226 – Wooded Glen – Inverness. The landscape within the study area is characterised by a wooded, settled Glen Moriston with forested glen slopes that rise up to rocky moorland plateaus and rugged massifs. To the south-east of this glen, is the broad, steep-sided Great Glen with settlements of Fort Augustus, Auchterawe and Invermoriston. To the north, lies the operational Bhlairaidh Wind Farm, which would sit next to the consented Bhlairaidh Extension Wind Farm. The River Moriston meanders through Glen Moriston itself, and passes the Reservoir and Dundreggan Dam. Settlement within the glen is limited and focussed primarily along the A887. The route is not located within any statutory landscape designation.
- 2.7 No built and cultural heritage designated assets are present directly along the corridor of the proposed line route. Two scheduled monuments, SM 4567, Levishie Cottage Fort and Earthwork and SM 11875, Dundreggan Farm Motte are located within 3km of the proposals. Torgyle Bridge, which carries the A887 over the River Moriston, is a Category A Listed Building.
- 2.8 The proposal route runs alongside Core Path and Right of Way IN16.16 (Old Drove Road) and the underground section will cross Core Paths IN16.02 (Jenkins Park Walks) and IN 16.14 (Auchterawe Woods).

3. PLANNING HISTORY

3.1	04.12.2023	23/05516/SCRE: Upgrade of Beaully-Denny 275kV circuit to 400kV - substation extension at Fort Augustus; platform extension and erection of substation buildings, associated plant and infrastructure, associated ancillary development, drainage infrastructure, temporary construction compound and laydown area(s) as required, access improvements and landscape requirements (National Development).	EIA Not Required
3.2	03.03.2023	23/00607/PAN: Erection and operation of extension to the Glenmoriston Substation comprising new platform area, replacement transformer, associated plant and infrastructure, ancillary facilities, laydown area(s), access road and landscape	Proposal of Application Notice
3.3	30.08.2022	21/04080/S36: Bhlaraidh wind farm extension - Erection and Operation of Wind Farm for period of 50 years, comprising of 15 Wind Turbines with maximum blade tip height 180m, access tracks, borrow pits, substation, control building, and ancillary infrastructure.	Approved by Scottish Ministers
3.4	22.12.2022	21/05668/SCRE: Installation of an electric line above ground with a voltage of 132 kV between the proposed Bhlaraidh Extension Windfarm substation and the Fort Augustus Substation within Auchteraw	EIA Not Required.
3.5	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	Permission Granted
3.6	17.01.2014	12/02556/S36: 36 Turbines (108MW Installed Capacity) Bhlaraidh Wind Farm, Invermoriston	Approved by Scottish Ministers

4. PUBLIC PARTICIPATION

4.1 Advertised: Section 37 Application

Dates Advertised:

- Press and Journal – 30 January 2023 and 6 February 2023

Representations received by the Highland Council (1 objection):

Representations received by Energy Consents Unit (none)

4.2 Material considerations raised are summarised as follows:

- Proposals do not acknowledge presence of occupied properties along the overhead line route.

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

5. CONSULTATIONS

Consultations Undertaken by the Highland Council

- 5.1 **Fort Augustus and Glenmoriston Community Council** do not object to the application. Comments were raised regarding mitigating impacts to the amenity of residential properties near the works, namely the cluster of houses at Dundreggan. The Community Council request that the impact on these properties is considered and mitigated by condition if consent is granted.
- 5.2 **Access Officer** does not object to the application. There are core paths in the area and recommends conditions to ensure that public access rights are maintained.
- 5.3 **Development Plans Team:** do not object to the application. Relevant development plan policies are highlighted to assist with the assessment of the application.
- 5.4 **Ecology Officer** did not object to the proposals. The Ecology Officer originally noted concerns regarding the measures for biodiversity enhancement as originally submitted, due to the degree of woodland removal from the site. The applicant has submitted further information to address the Ecology and Forestry Officer's comments in this respect, as discussed further in the planning appraisal section of this report.
- 5.5 **Environmental Health** do not object to the application, subject to a condition to secure a private water supply risk assessment, in advance of development commencing.

- 5.6 **Flood Risk Management Team** do not object to the application and referred to guidance previously provided through the pre-application process on land raising in the flood plain, water course crossings, and riparian buffer strips.
- 5.7 **Forestry Officer** does not object to the application. Following the submission of further information by the applicant, this objection was withdrawn, subject to conditions to secure a tree protection plan and additional compensatory planting.
- 5.8 **Historic Environment Team (Archaeology)** do not object to the application. Further information in the form a desk-based study of the potential impacts of the proposals on cultural heritage in the area was requested. The mitigation proposed in the cultural heritage chapter of the applicant's Environmental Appraisal is now considered appropriate.
- 5.9 **Historic Environment Team (Conservation)** do not object to the application, given no direct impacts arising on heritage assets in the area within its remit.
- 5.10 **Landscape Officer** does not object to the application and offered limited comments on the applicant's methodology for their landscape and visual impacts assessment. The methodology for the visual assessment focuses on receptor categories and is less focused on photomontage visualisations than would be the case for some other types of development. This is considered appropriate for a development of this nature, and the assessment is supported with some general representative visualisations
- 5.11 **Transport Planning Team** do not object to the application and suggested conditions to mitigate the impact of the proposed works on the local road network. These relate to upgrading the local road network in the area including the U1659 Inverwick Road, U1766, and U1663 Auchteraw Road in order to retain the safety of these routes for general use during the construction period.

Consultations by Energy Consent Unit

- 5.12 **Defence Infrastructure Organisation** do not object to the application, which is located outwith any MOD safeguarding areas.
- 5.13 **Fisheries Management Scotland** do not object to the application but strongly recommend that the applicant uses the guidelines from Fisheries Management Scotland (FMS), in conjunction with Marine Scotland Science (MSS) when considering the planning, construction and monitoring phases of the proposed development.
- 5.14 **Historic Environment Scotland** do not object to the application and did not offer further comment on the proposals.
- 5.15 **NatureScot** do not object to the application and provided comments regarding ecological impacts and biodiversity enhancement, protected species, landscape and visual amenity and ornithology, as discussed in more detail in the planning assessment below. The proposed overhead line crosses the River Moriston SAC, designated for Atlantic salmon and freshwater pearl mussel at the mid-section of the route. NatureScot advise that the proposals are likely to have a significant

effect on the qualifying interests of SAC. Consequently, the Scottish Government, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests.

- 5.16 **Scottish Water** do not object to the application. Attention is drawn to elements of its infrastructure within the area and to the presence of an abstraction / drinking water protected area within the vicinity of the site. The proposals are a sufficient distance from the intake that it is likely to be low risk.
- 5.17 **SEPA** do not object to the proposals. SEPA requests conditions to confirm the location of all temporary tracks and construction phase infrastructure, in addition to a finalised Peat Management Plan (PMP). SEPA note the applicant's measures to protect Groundwater Dependent Terrestrial Ecosystems (GWDTEs) on site and ask that these are conditioned within the Construction Environment Management Plan
- 5.18 **Scotways** do not object to the application and noted the duties of the Council regarding public access management, as discussed further in the response received by the Council's Access Officer.
- 5.19 **Transport Scotland** did not object to the proposals, subject to a condition to secure a Construction Traffic Management Plan considerate of the impacts on the trunk road network.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 National Planning Framework 4

National Development 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure

1 - Tackling the Climate and Nature Crisis

3 - Biodiversity

4 - Natural Places

5 - Soils

6 - Forestry, Woodland and Trees

7 - Historic Assets and Places

11 - Energy

14 - Design, Quality and Place

25 - Community Wealth Building

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 **Inner Moray Firth Local Development Plan (2015)**

No specific policies or land use allocations apply.

6.4 **Inner Moray Firth Proposed Local Development Plan (2022)**

The site is not covered by any specific development allocation or safeguarding notation within the WestPlan. The General Policies section outlines a number of general policies that apply to the proposed development including:

Policy 1 – Low Carbon Development

Policy 2 – Nature Protection, Preservation and Enhancement

Policy 9 – Delivering Development and Infrastructure

6.5 **Highland Council Supplementary Guidance**

- Developer Contributions (Nov 2018)
- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Physical Constraints (Mar 2013)
- Roads and Transport Guidelines for New Developments (May 2013)
- Special Landscape Area Citations (Jun 2011)
- Standards for Archaeological Work (Mar 2012)

7. OTHER MATERIAL CONSIDERATIONS

7.1 Scottish Government Guidance

- Scottish Energy Strategy (2017)
- The Draft Energy Strategy and Just Transition Plan (2023)
- The Onshore Wind Energy Policy Statement (2022)
- Onshore Wind Sector Deal for Scotland (2023)
- 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)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- Developing with Nature Guidance (NatureScot 2023)
- Construction Environmental Management Process for Large Scale Projects (2010)
- Highland Nature Biodiversity Action Plan 2021-2026 (2022)
- Community Benefits for Electricity Transmission Network Infrastructure: Government Response, UK Department for Energy and Security and Net Zero (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 a deemed planning permission.

Planning Considerations

- 8.2 The key considerations in this case are:
- a) Compliance with the Development Plan and Other Planning Policy
 - b) Design, Landscape and Visual Impact (including Wild Land)
 - c) Natural Heritage
 - d) Built and Cultural Heritage
 - e) Hydrology, Hydrogeology and Geology
 - f) Roads, Transport and Wider Access
 - g) Construction Impacts
 - h) Any Other Material Considerations.

Development plan/other planning policy

- 8.3 The Development Plan comprises the National Planning Framework 4 (NPF4), the Highland-wide Local Development Plan (HwLDP), associated statutory supplementary guidance 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 Policy

- 8.4 National Planning Framework 4 (NPF4) forms part of the Development Plan and was adopted in February 2023. NPF4 comprises three distinct parts. Part 1 sets out an overarching spatial strategy for Scotland in the future. Outlining that Scotland is facing unprecedented challenges and that we need to reduce greenhouse gas emissions and embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity loss, improve health and wellbeing, and build a wellbeing economy while striving to create great places. Therefore, NPF4 sets out that choices need to be made about how we can make sustainable use of our natural assets in a way that benefits communities.
- 8.5 NPF4 outlines 18 national developments that support the plan's spatial strategy. National developments will be a focus for delivery, as well as exemplars of the Place Principle, placemaking and a Community Wealth Building (CWB) approach to economic development. Six of the national developments support the delivery of sustainable places. Among these is national development number 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure, which "supports electricity generation and associated grid infrastructure throughout Scotland, providing employment and opportunities for community benefit, helping to reduce emissions and improve security of supply." National development 3 accords national development status to electricity transmission that includes b) New and/or replacement upgraded on and offshore high voltage electricity transmission lines, cables and interconnectors of 132kV or more, and/or c) New and/or upgraded Infrastructure directly supporting on and offshore high voltage electricity lines, cables and interconnectors including converter stations, switching stations and substations. This proposal aligns with parts of both b) and c) and therefore, is classed as a national development, and as such received in principle support.
- 8.6 The spatial strategy reflects existing legislation by setting out that decision making requires to reflect the long-term public interest. However, in doing so, it is clear that the decision maker must make the right choices about where development should be located, ensuring clarity is provided over the types of infrastructure that need to be provided and the assets that should be protected to ensure they continue to benefit future generations. To that end, the Spatial Priorities support the planning and delivery of sustainable places, which will reduce emissions, restore and better connect biodiversity; create liveable places, where residents can live better, healthier lives; and create productive places, with a greener, fairer, and more inclusive wellbeing economy.

- 8.7 Part 2 of NPF4 sets out the National Planning Policy which cover three themes: Sustainable Places, Liveable Places, and Productive Places; within which there are a total of 33 policies and many of these consist of distinct sub-policies. These 33 national planning policies form part of the development plan and will be assessed along with the Council's LDP policies for development management decisions. The most relevant policies are outlined below.
- 8.8 Part 3 provides a series of annexes that provide the rationale for the strategies and policies of NPF4, which outline how the document should be used, and set out how the Scottish Government will implement the strategies and policies contained in the document. With Annex A: 'How to use this document' noting that the policies within Part 2 should be read as a whole and '...it is for the decision maker to determine what weight to attach to policies on a case-by-case basis....' It goes on to state that '...where a policy states that development will be supported, it is in principle, and it is for the decision maker to take into account all other relevant policies.
- 8.9 Many of NPF4's policies are relevant to consideration of the proposal, but attention is particularly drawn here to the following key policies. Policy 1 - Tackling the climate and nature crises aims to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis. It requires 'significant weight' to be given to those crises in decision making.
- 8.10 Policy 3 - Biodiversity aims to protect biodiversity, reverse biodiversity loss, deliver positive effects and strengthen nature networks. Every development proposal has to maintain or improve biodiversity
- 8.11 Policy 4 - Natural Places aims to protect, restore and enhance natural assets making best use of nature-based solutions. Policy 4 section e) requires project design and mitigation to demonstrate how the following various impacts on communities and individual dwellings, including, residential amenity, visual impact, and noise, landscape, visual and cumulative impacts, public access, aviation and defence interests, telecommunications and broadcasting installations, traffic and roads, historic environment, hydrology, water environment and flood risk, trees, biodiversity, decommissioning and site restoration are all addressed.
- 8.12 Policy 5 – Soils, aims to protect carbon rich soils including peatlands. Development proposals on such locations, will only be supported where they relate to essential infrastructure or renewable energy development.
- 8.13 Policy 11 - Energy aims to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure. Section a) notes development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported, including (ii.) enabling works, such as grid transmission and distribution infrastructure. Section c) confirms development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.

Section d) requires development proposals that impact on international or national designations to be assessed in relation to Policy 4. In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets

- 8.14 Policy 25 - Community wealth building aims to encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels. While NPF4 considers national developments as a focus for delivery, they should also be exemplars of the community wealth building approach to economic development.

Highland wide Local Development Plan

- 8.15 The principal Highland-wide Local Development Plan policy against which the application requires to be determined is the Policy 69 - Electricity Transmission Infrastructure. This policy offers support for electricity transmission infrastructure, having regard to their level of strategic significance in transmitting electricity from areas of generation to areas of consumption. Such support is subject to the proposals not having an unacceptable significant impact on the environment.
- 8.16 As the development would facilitate an increasing proportion of electricity generation from renewable sources, the principle of the development receives support under HwLDP Policy 69 - Electricity Transmission Infrastructure, subject to site selection, design and overcoming any unacceptable significant environmental effects.
- 8.17 In this regard, the site does not benefit from any positive development allocation and is out with a defined Settlement Development Area (SDA). As such HwLDP Policy 36 Development in the Wider Countryside applies and sets out that all development in the countryside will be determined on the basis of a number of criteria. Pertinent matters to this proposal include siting and design, being compatible with the existing pattern of development, landscape character and capacity, as well as drainage and servicing implications.

Area Local Development Plans

- 8.18 The Inner Moray Firth Local Development Plan does not contain land allocations related to the proposed development. It confirms the boundaries of Special Landscape 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 Landscape and Visual Impact section of this report.

Onshore Wind Energy Policy Statement (2022), Draft Energy Strategy and Just Transition Plan (2023), and Onshore Wind Sector Deal for Scotland (2023)

- 8.19 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 9.4 GW (June 2023). Therefore, a further 10.6 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.

- 8.20 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.
- 8.21 The Draft Energy Strategy and Just Transition Plan has been published for consultation. Limited weight can however 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.
- 8.22 To deliver the ambition for onshore wind, the Onshore Wind Sector Deal for Scotland was introduced in September 2023. The document focuses on necessary high level actions by Government and the Sector to support onshore wind delivery. Jointly, Government and the Sector are committed to working together to ensure a balance is struck between onshore wind and the impacts on land use and the environment. The document looks to expediate decision making and consent implementation to achieve 20 GW of installation by 2030, meaning we should be seeing faster decisions on applications that are already in the system, with more consents being built out.

Design, Landscape and Visual Impact

- 8.23 The proposed development comprises around 14.5 km of 132 kV overhead line (OHL). The applicant has undertaken an assessment of the landscape and visual impacts of this development. As outlined in Chapter 4 of the Environmental Appraisal (EA). Due to the limited scale of the development, a study area of 2.5km has been used for the assessment. The landscape within the study area is

characterised by a wooded, settled Glen Moriston with forested glen slopes that rise up to rocky moorland plateaus and rugged massifs. The site connects the area of the operational Bhlaraidh Wind Farm, adjacent the consented Bhlaraidh Extension Wind Farm with the Fort Augustus Substation. Glen Moriston accommodates the A887 Trunk Road as well as existing overhead power infrastructure in the vicinity of the proposed route crossing.

- 8.24 The proposed overhead line will use low profile trident H poles, with a height of 11-15m depending on ground conditions. A short, 20m new section of stone access track, similar to others near the site, will be required to connect on of the proposed cable end sealing structures to a section of existing track, where the overhead line transitions to underground. Consequentially, the design has sought to minimise the scale of the development area and although it would marginally increase the presence of this type of infrastructure it will not introduce a new element into the landscape at this location. The applicant's assessment concludes that landscape effects would not be significant due to the wooded character of the landscape and the presence of existing OHLs, and other built features such as wind turbines and dam infrastructure that affect the sensitivity of the landscape to change. This is generally accepted. The Landscape Officer noted in their consultation response that they are also satisfied that the applicant's LVIA assessment is appropriate and reaches reasonable conclusions.
- 8.25 In terms of visual impact, receptors would comprise several residential priorities along the floor of Glen Moriston, as well as users of the A887 Trunk Road, local roads and a number of core paths running through the area. The Environmental Appraisal contends that due to the intervening landform and screening from forestry alongside the limited perceptibility of the overhead lines at the scale proposed, no significant permanent visual effects would be experienced by building or route-based receptors. The conclusions of this assessment are reasonable and are not contested.

Construction Impacts

- 8.26 The proposed development anticipates a construction period of approximately 22 months. Construction working is anticipated to be during daytime periods only. Working hours would be between 07:00 to 19:00, seven days a week during summer months and 07:30-17:00, or as daylight allows, during winter. These hours are longer hours than would normally be applied under the Control of Pollution Act, however, the Councils Environmental Health Team have not raised any concerns. 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 the Environmental Health legislation.
- 8.27 While the concerns raised in the single public representation received are noted, the proposed route avoids residential properties. Throughout the construction period the applicant has stated that they shall maintain contact with the local community. A Community Liaison Group can be set up via condition in this respect to ensure that the Community Council and other stakeholders are kept up

to date and consulted before and during the construction period.

- 8.28 The nature of the project anticipates the need for a Construction Environmental Management Plan / Document (CEMP), in association with the successful principal 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. An Environmental Clerk of Works (ECoW) will be employed to monitor compliance with the document. 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.
- 8.29 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.

Roads, Transport and Wider Access

- 8.30 Given the nature and scale of this development, multiple access points to the public road network will be necessary. Parts of the local public and trunk road network will experience increases in traffic as a result of the construction works. A 7 day working week throughout the project is suggested, as noted above. While this should help to reduce the overall duration of the project, it does mean that construction traffic will be continuous over the duration of this phase. The applicants initial Transport Assessment does not identify capacity issues with the local or trunk road network during the construction phase. After this is completed, the vehicle movements require for the operational maintenance would be negligible.
- 8.31 The Councils Transport Planning Team (TPT) do not object to the application but do require a programme of physical upgrade works to routes in the area to be agreed via condition, in advance of development commencing, so as to maintain general road safety under construction conditions. These consist of physical road upgrades to the U1659 Inverwick Road and U1766 Public Road and enhancements to passing places along the U1663 Auchteraw Road beyond the access to Auchteraw Substation. A Construction Traffic Management Plan (CTMP) will also be secured via condition, to manage the impacts during construction of the proposals on the local road network. Transport Scotland have raised no objection to the proposals subject to such a CTMP condition as discussed above.
- 8.32 Beyond the public road network, vehicle access would be required to the each of the proposed overhead pole locations. Existing tracks would be used during construction wherever possible including forestry tracks and those that serve local properties. Some minor improvements would be anticipated in the form of vegetation clearance, localised small scale widening and running surface improvements. Where no existing tracks may be used, the applicant anticipates that new access routes would be identified by the appointed principal contractor. Temporary trackway systems would be used areas of soft ground or in areas where deep peat is present. Vehicle operations would be kept to a minimum in

these areas, to reduce disruption to habitats along the route.

- 8.33 The proposal will run alongside, and access may be taken off public right of way HI100, Old Drove Road which is also a core path, IN16.16. The proposed underground section will cross 2 core paths further south, twice, IN16.02, Jenkins Park Forest Walks and Auchteraw Woods Paths, IN16.14. The wider area, like most land in Scotland, is subject to the provisions of the Land Reform (Scotland) Act 2003. While not objecting to the proposals, the Area Access Officer has recommended conditions to ensure access rights are upheld along these routes during construction.

Natural Heritage

- 8.34 The findings of the applicant's assessment are outlined in Chapter 5 of the EA. This concludes that subject to the mitigation measures outlined below and the implementation of a Construction and Environmental Management Plan (CEMP), that there will be no residual significant effects on any natural heritage receptor. Further mitigation is proposed in the form of an Ecological Clerk of Works (ECoW) to ensure any required mitigation is implemented.
- 8.35 The proposed route would cross the River Moriston Special Area of Conservation (SAC). The construction of transmission poles on either side of the river has the potential to cause disturbance to the aquatic ecology. However, no poles would be installed closer than 15m to the watercourse edge and pollution prevention measures would be installed under the CEMP. As such, the impacts of the project on the SAC qualifying interests are not likely to be significant. While the wider area includes the Ness Wood SAC, 2.4km distant, and the Levishie Wood Site of Special Scientific Interest (SSSI), 1.1km distant, these assets are not considered to have any connectivity with the site and as such no significant impacts are predicted.
- 8.36 The EA reports evidence of badgers, otters and pine martin within the study area. As a result, pre-commencement protected species surveys and species protection plans (SPPs) will be required to be secured by condition. NatureScot do not object to the application and are satisfied that the proposal will not significantly impact upon protected species subject to the aforementioned mitigation being implemented.
- 8.37 In terms of ornithological interests, 4 sites of with statutory designations for ornithological features are located within 20km of the proposed route: The West Inverness-Shire Lochs Special Protection Area (SPA) / SSSI, the Loch Knockie and Nearby Lochs SPA / SSSI, the North Inverness Lochs SPA and the Glen Affric to Strathconon SPA. Ornithological surveys have identified bird species of conservation concern within the route area, including black grouse, golden plover, greenshank, merlin and osprey. No significant collision risks have been identified for these species and the applicant concludes that due to the scale and routing of the proposals, there is unlikely to be a negative impact upon ornithological interests overall. However, the applicant is committed to carrying out a pre-construction breeding bird survey. NatureScot are satisfied that the proposal will not significantly impact upon birds, provided that the mitigation set out in the EA is implemented. It is recommended that a finalised mitigation plan is secured via

condition.

- 8.38 The proposed overhead line will cross areas of peatland, although peat in excess of 1m in depth will generally be avoided. The applicant proposes several methods of mitigation to limit the impact on soil and peatland resources over the length of the route. A limit of deviation of 50m, as secured via condition, may be used to move pole locations out of areas of wetland habitats and peatland as far practicably possible. SEPA do not object to the application in this regard, subject to conditions to secure a finalised Peat Management Plan should consent be granted.

Biodiversity and Forestry

- 8.39 Due to the climate and biodiversity emergency and the provisions of NPF4 Policy 3, the Council seeks to ensure that developments will deliver a positive effect for biodiversity. As a result, this project is expected to make a contribution toward the delivery of biodiversity enhancements in vicinity of the site.
- 8.40 The habitats present across the site have been subject to a Biodiversity Net Gain (BNG) Report. The applicant's assessment of BNG has quantified the biodiversity impact of the development, predicts the resultant change of biodiversity value, and provides recommendations for biodiversity enhancement (net gain). The assessment was based upon desk research and walkover surveys undertaken in July 2022. The assessment followed DEFRA guidance utilising the biodiversity metric with the biodiversity of the site summarised using SSEN Transmission's biodiversity project toolkit which uses habitat as a proxy to determine biodiversity impacts. Non-irreplaceable habitats within the site that will be impacted upon account for 26.67 ha, mainly consisting of coniferous plantation woodland. The applicant's biodiversity baseline is based upon the non-irreplaceable habitat types that will experience habitat loss as a result of the proposals, their distinctiveness and condition scores, the area of the habitats and the number of Biodiversity Units (BU) each type of habitat contributes.
- 8.41 During construction, permanent habitat loss will be restricted to loss of woodland habitat for the creation of wayleaves for the OHL. Post-development biodiversity units are calculated on the assumption that where felling has been undertaken to create the operational wayleave corridor within woodland habitats, that these areas will recover as scrub habitat within five years. Scrub habitat has a distinctiveness value of medium, therefore where an area of coniferous woodland plantation is replaced with the same area of scrub habitat, the applicant argues that this increases the biodiversity value of the area.
- 8.42 The proposals will also result in the removal of some 16ha of irreplaceable habitats, in the form of semi-natural woodland habitat included on the Ancient Woodland Inventory as Category 1a (semi-natural woodland from maps of 1750) or 2a (continuously wooded to the present day). The greatest loss incurred will be to coniferous plantation woodland. As this type of habitat has low distinctiveness in biodiversity terms, the applicant concludes that there will be a minimum of 52 % net gain in biodiversity on site, despite the loss of irreplaceable habitats.

- 8.43 The Forestry Officer originally objected to the proposals on the basis of a lack of information to determine the impacts on woodland along the line route. The applicant has submitted further information in response to these concerns that provides greater clarity in terms of what woodland type exists within the operational corridor and what ancient woodland inventory categorisation these woodland areas have. While it has not been possible for the applicant to fully avoid areas listed as Ancient Woodland, the majority of the areas are stocked with more modern plantation woodland or have been clear felled so are not as significant in forestry and habitat terms. In this respect, the Forestry Officer has recommended conditions to secure a tree protection plan in advance of construction commencing and a further compensatory planting scheme.
- 8.44 Following the submission of further information by the applicant, the Ecology Officer considers that the compensatory planting area is sufficient to account for the woodland to be removed. It is recommended that additional species such as rowan, hawthorn and hazel are incorporated into the planting plan. Understorey native woodland plant species should also be planted in the compensatory woodland area to provide further biodiversity value. The existing woodlands on site should also be considered for enhancement measures such as understorey planting and the introduction of trees such as oak where suitable and possible. The line route wayleave will not be regularly cleared and therefore can count towards biodiversity enhancement, with additional planting of native species such as juniper. The Ecology Officer recommends a Habitat Management Plan be secured via condition, to ensure the delivery of the biodiversity compensation and enhancement measures.

Hydrology, Hydrogeology and Geology

- 8.45 The site crosses the River Moriston, classified by the Scottish Environment Protection Agency (SEPA) under the Water Framework Directive (WFD) as having a "good ecological potential status in 2020. There are also further watercourses in the vicinity of the route.
- 8.46 The applicant's Environmental Assessment proposes a Construction Environmental Management Plan (CEMP), as may be secured via condition, to include measures to ensure that potential sources of pollution on site can be effectively managed throughout the construction phase. In order to protect the water environment a number of measures have been highlighted by the applicant for inclusion in the CEMP including the adoption of sustainable drainage principles, and measures to mitigate against effects of potential contamination of the surrounding water environment.
- 8.47 The Councils Flood Risk Management Team has been consulted and do not object to the application, having no concerns related to flood risk and drainage.
- 8.48 Private water supplies have been identified within the vicinity of the proposed development that may be affected by its construction. The route is also located upstream of the Loch Ness Drinking Water Protection Area. Environmental Health and Scottish Water do not object to the application. A final water protection management plan will be secured via the CEMP and subject to this, it is not

considered that there will be any significantly adverse impacts upon private water supplies.

Built and Cultural Heritage

- 8.49 The applicant has assessed the potential impacts on built and cultural heritage features through their Environmental Assessment. During the construction and operational phases of the development, the applicant concludes that there will be no direct impacts upon the designated heritage assets within the study area. Some indirect effects may occur on the setting of the heritage assets in the area, but these are limited by screening and the presence of existing similar energy development in the area. The potential for encountering unknown archaeology is low and no mitigation measures are advanced in this respect. The Councils Historic Environment Team are content with this assessment and the applicant's proposed mitigation in respect of cultural heritage features.

Economic Impacts

- 8.50 The effect of introducing NPF4 Policy 11c) relating to the need for energy development to maximise socio-economic benefits of which community benefit forms a part, means that this is now material to the determination of an application. Additionally, NPF4 Policy 25 provides support for development that is consistent with local economic priorities and where they contribute to local and/or regional community wealth building strategies. The Highland Council is currently in the process of developing its priorities, along with partners, through the Highland Outcome Improvement Plan and the work on production of a community wealth building strategy that is under way. This work will set a strategic framework along with identifying many of the local priorities and projects to promote and encourage economic activity and retain wealth within the Highland area. The ongoing Local Place Plans initiative will likely identify other opportunities.
- 8.51 The development of grid infrastructure has been identified as a national priority together within investment in renewable energy. The development presented within this application are not only beneficial in strengthening the robustness of the country's grid network, but also result in further job and investment opportunities through the development of associated supply chains. The development is required to facilitate the connection of a wind farm to the national grid which will allow the export of electricity generated to consumers. The relationship of the development to the economic and social benefits of renewable energy developments is therefore relevant, in a positive way.
- 8.52 As consented under application 21/04080/S36, the connecting Bhlaraidh wind farm extension was accompanied by a socio-economic assessment contained in the Environmental Impact Assessment Report (EIAR). The extension development is committed to building on the existing Bhlaraidh Wind Farm Community Fund, to providing further annual community benefits in line with Scottish Government's Good Practice Principles, for the lifetime of the site.

Other Material Considerations

- 8.53 There are no other material considerations.

Non-Material Considerations

- 8.54 The objection comment raised the issue of public consultation regarding the proposals. This is not a statutory requirement of proposals brought forward under the Electricity Act.

Matters to be secured by Legal Agreement

- 8.55 Any compensatory planting or habitat enhancement taking place on land located outside the planning application red line boundary and not under the ownership of the applicant may require a tri-party legal agreement to first be secured between the applicant, the landowner and the planning authority.

9. CONCLUSION

- 9.1 The Scottish Government and the Council each have policies offering support to projects which increase the capacity of the grid network to serve renewable energy projects. NPF4 offers strong support for such development highlighting upgraded infrastructure supporting onshore high voltage electricity lines, cables and interconnectors and this is classed as a development 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 Highland Council having appropriate policies and guidance to assist in its assessment, and to effectively manage their implementation on the ground.
- 9.3 Statutory and other consultees responding to this application are generally supportive. Some have requested planning conditions to be attached to any grant of planning permission to effectively ensure that their specific interests are secured.
- 9.4 There are impacts that might be expected from this development, particularly during its construction. These can be managed through best practice construction management techniques to ensure surrounding interests, particularly road access and the amenity of local communities is safeguarded. The suggested planning conditions strengthen and clarify the plans and supporting environmental information provided by the applicant. The proposal will also be overseen by an appointed Ecological Clerk of Works with any permission requiring regular compliance monitoring and ongoing engagement by means of the Community Liaison Group.
- 9.5 The application can be supported in the context of the Development Plan and in particular NPF4 Policy 11 – Energy and HwLDP Policy 69 - Electricity Transmission Infrastructure and the underlying support for renewable energy development which this project will serve. 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.

10. IMPLICATIONS

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

11. RECOMMENDATION

Action required before consultation response issued:

None

It is recommended to **RAISE NO OBJECTION** to the application subject to the following conditions and reasons:

Conditions and Reasons:

1. The development to which this planning permission relates must commence within **THREE YEARS** of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

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

2. The proposed development shall be built and operated in accordance with the proposals within the application and the mitigation set out in the 'Environmental Appraisal' Report dated October 2022.

Reason: To ensure the proposal is built and operated in a manner which has regard to and mitigates the effects that the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.

3. All poles shall be constructed in the locations, and to the height, detailed in the 'Environmental Appraisal' Report dated October 2022. The location of the poles may be adjusted within the following Limits of Deviation:

- a) No pole shall be positioned more than 50m on either side of the proposed low profile trident H poles overhead line alignment.
- b) No pole shall be more than a height of 17m above ordinance

datum inclusive of all steel work and insulators.

- c) Micro-siting shall be carried out in accordance with specific procedures and details approved as part of the Construction Environmental Management Plan (CEMP) required in accordance with this consent or as otherwise approved under the condition.
- d) All micro-siting permissible under the condition must be approved in advance in writing by the Environmental Clerk of Works (ECoW) appointed under the terms in accordance with this consent.

No later than one month after the Date of Final Energisation, an updated Site Layout Plan must be submitted to the planning authority showing the final position of the overhead line, all poles and associated infrastructure forming part of the Development. The plan should also specify areas where micro-siting has taken place and, for each instance, be accompanied by copies of the ECoW or planning authority's approval, as applicable.

Reason: To ensure the proposal is built and operated in a manner which has regard to and mitigates the effects that the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.

Construction Environmental Management Plan (“CEMP”)

- 4. No development shall commence until a Construction Environmental Management Plan (“CEMP”) outlining site specific details of all on-site construction works, post-construction reinstatement, drainage and mitigation, together with details of their timetabling, has been submitted to and approved in writing by the Planning Authority. The CEMP shall include (but is not limited to):
 - a) Adherence to the mitigation outlined in the ‘Environmental Appraisal Report’ dated October 2022
 - b) Adherence to the finalised Species Protection Plans and Bird Protection Plan.
 - c) The location of any temporary tracks or other infrastructure required during construction.
 - d) Risk assessment of potentially damaging construction-type activities on the environment;
 - e) Mitigation to protect the ecological resources on site, including biodiversity protection zones, location and timing of works;
 - f) Species and Habitat Protection Plans;
 - g) Pollution Prevention Plan including drainage management strategy and mitigation measures, demonstrating how all surface water run-off and waste water arising during and after development is to be

managed and prevented from polluting any watercourses or sources. This must also include arrangements for the storage and management of oil and fuel on the site;;

- h) Details of all pollution prevention and mitigation measures, which shall maintain hydrological connectivity of Groundwater Dependent Terrestrial Ecosystems;
- i) Details of the formation of the construction compound, welfare facilities, any areas of hardstanding, turning areas, internal access tracks, car parking, material stockpiles, oil storage, lighting columns, and any construction compound boundary fencing;
- j) Construction Method Statement for the following:
 - Working cable trenches
 - Watercourse crossings

The Development shall be implemented thereafter in accordance with the approved CEMP unless otherwise approved in advance in writing by the Planning Authority.

Reason: To ensure that all construction operations are carried out in a manner that minimises their impact on road safety, amenity and the environment, and that the mitigation measures contained in the 'Environmental Appraisal' Report which accompanied the application, or as otherwise agreed, are fully implemented

5. No development shall commence until a Peat Management Plan, developed in consultation with SEPA has been submitted to, and approved in writing to, the Planning Authority. The Peat Management Plan shall draw upon the findings of any approved Environmental Statement, Peat Slide Risk Assessment, consider the findings of any additional ground investigations carried out prior to development commencing and include a management/reinstatement scheme for all peat areas within the application site, including:
 - i. Details and plans for all peat and soil stripping and excavation and the storage and proposed use and replacement of peat, topsoil and subsoil; and
 - ii. A method statement setting out the measures to protect peat during excavation, storage, handling, and reuse.

The Peat Management Plan shall take due consideration of the mineral and slope stability of the site identified in the Peat Slide Risk Assessment and shall have regard to the drainage implications of soil movement and storage. The Plan shall be implemented as approved.

Reason: To ensure that a plan is in place to deal with the storage and reuse of peat within the application site, including peat stability and slide risks.

Community Liaison

6. No development shall commence until a community liaison group is 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 to keep under review the timing of the delivery of any abnormal loads 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.

Construction Traffic Management and Access

7. No development shall commence until a Construction Traffic Management Plan ("CTMP") has been submitted to and approved in writing by the Planning Authority in consultation with the Local Roads Authority, Transport Scotland and appropriate community representatives. The approved CTMP shall be carried out as approved and in accordance with the timetable specified within the approved CTMP. The CTMP shall include:
 - a) Full details of all site compounds, including the access arrangements from the public road.
 - b) Proposed measures to mitigate the impact of construction traffic on the local road network following assessment of the routes to site for construction traffic, as defined in Condition 8 of this permission
 - c) Proposed traffic management measures on the access routes to the site. Measures such as temporary speed limits, suitable temporary signage, road markings and the use of speed activated

signs should be considered.

- d) A procedure for the regular monitoring of road conditions and the implementation of any remedial works required during the construction period.
- e) Details of new or upgraded access points off the public road network. Such works will include suitable drainage measures, improved geometry and construction, measures to protect the public road and the provision and maintenance of appropriate visibility splays.
- f) Details of appropriate traffic management, which shall be established and maintained at each access point for the duration of the relevant construction period. Full details shall be submitted for the prior approval of Highland Council, as roads authority.
- g) A wear and tear agreement for the route.
- h) Measures to ensure that all affected public roads are kept free of mud and debris arising from the development.

The approved CTMP shall be implemented prior to development commencing and remain in place until the development is complete.

Reason: To ensure that the construction of the development is carried out appropriately and does not have an adverse effect on the environment, and to protect road safety and the amenity of other users of the public road and rights of way.

8. Prior to the commencement of development, the following details pertaining to physical road upgrades to the U1659 Inverwick Road and U1766 Public Road and physical enhancements to passing places along the U1663 Auchteraw Road beyond the access to Auchteraw Substation shall be submitted to and approved in writing by the Planning Authority, in consultation with the Roads Authority:

- a detailed dimensioned layout, dimensioned cross sections and details of all structures including dimensions, finish material and construction methods.

The development shall thereafter proceed in accordance with the agreed details.

Reason: In the interests of road safety.

9. The public right of way running between Torgyle and Jenkins Park (H1100) shall remain accessible and free from obstruction throughout the construction phase of the development.

Reason: In order to safeguard public access both during and after the

construction phase of the development.

10. No development shall commence until a detailed Outdoor Access Plan of public access across the site (as existing, during construction and following completion) has been submitted to, and approved in writing by, the Planning Authority. There should be no hindrance to the public's use of Core Paths (and public rights of way) IN16.16 (HI101 and HI100) and IN16.02 as well as route (HI171) between Bhlraidh and Corrimony. The proposed development should not obstruct or deter use of these routes before, during or after construction.

The plan shall include details showing:

- i. All existing access points, paths, core paths, tracks, rights of way and other routes (whether on land or inland water), and any areas currently outwith or excluded from statutory access rights under Part One of the Land Reform (Scotland) Act 2003, within and adjacent to the application site;
- ii. Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or effect on curtilage related to proposed buildings or structures;
- iii. All proposed paths, tracks and other routes for use by walkers, riders, cyclists, canoeists, all-abilities users, etc. and any other relevant outdoor access enhancement (including construction specifications, signage, information leaflets, proposals for on-going maintenance etc.);
- iv. Any diversion of paths, tracks or other routes (whether on land or inland water), temporary or permanent, proposed as part of the development (including details of mitigation measures, diversion works, duration and signage).

Any disturbance or damage to the identified routes must be repaired to as good or better a standard than pre development within 14 days of the disturbance occurring, or such longer period as agreed with the Planning Authority.

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

Reason: In order to ensure that access to the core path network is not obstructed as a result of this development.

Environmental Clerk of Works (EnvCoW)

11. 1. No development or Site Enabling Works shall commence unless and until the terms of appointment of an independent Environmental Clerk of Works (EnvCoW) by the Company have been submitted to, and

approved in writing by, the Planning Authority. The terms of appointment shall:

- a) Impose a duty to monitor compliance with the environmental commitments provided in the EIA Report as well as the following (the EnvCoW works):
 - i. the Construction Environmental Management Plan under Condition 4;
 - ii. the Peat Management Plan under Condition 5;
 - iii. The Species Protection Plan under Condition 14;
 - iv. The Bird Protection Plan under Condition 15.
- b) Require the EnvCoW to report to the nominated construction project manager, developer and Planning Authority any incidences of non-compliance with the EnvCoW works at the earliest practical opportunity;
- c) Require the EnvCoW to submit a monthly report to the construction project manager, developer and Planning Authority summarising works undertaken on site; and

Require a statement that the EnvCoW shall be engaged by the Planning Authority but funded by the developer. The EnvCoW shall be appointed on the approved terms throughout the period from Commencement of Development to completion of construction works and post-construction site reinstatement works.

Private Water Supply

12. No development shall commence until a private water supply risk assessment which identifies any private water supplies, including pipework and other infrastructure, which may be adversely affected by the development, has been submitted to, and approved in writing by, the Planning Authority, in consultation with the Environmental Health Authority. The assessment should include details of any site-specific mitigation proposed to prevent contamination or physical disruption including details of the proposals for water quality monitoring prior to, during and following the construction phase. It should also include details of any proposed contingency measures in the event of a serious incident.

Reason: To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the Development during the decommissioning, restoration and aftercare phases.

Decommissioning Scheme

13. In the event that the line, after the Date of Final Energisation, fails to transmit electricity for a continuous period of 1 year a Decommissioning Scheme shall be submitted to the Planning Authority for its written approval detailing how the development will be decommissioned. The

scheme shall include, unless otherwise agreed in writing with the Planning Authority and in accordance with legislative requirements and published best practice at time of decommissioning, details about the removal of all elements of the Development, including where necessary details of:

- a) justification for retention of any relevant elements of the Development;
- b) the treatment of disturbed ground surfaces
- c) management and timing of the works
- d) environmental management provisions
- e) a traffic management plan
- f) decommissioning period; and
- g) details of financial provisions to ensure the scheme to be approved can be implemented in full.

Thereafter the scheme shall be implemented in accordance with the approved details and timetable.

Reason: To ensure that should the line no longer be required that an appropriate mechanism is in place for decommissioning of the development.

Ecology, Protected Species and Forestry

14. No development shall commence until a finalised Species Protection Plan has been submitted and approved in writing by the Planning Authority.

Reason: In the interests of nature conservation.

15. No development shall commence until a finalised Bird Protection Plan has been submitted and approved in writing by the Planning Authority.

Reason: In the interests of nature conservation.

16. A pre-construction survey is required to be undertaken not more than 3 months prior to works commencing and a report of the survey has been submitted to, and approved in writing by, the Planning Authority. The survey shall cover both the application site and an appropriate buffer from the boundary of application site and the report of survey shall include mitigation measures where any impact, or potential impact, on protected species or their habitat has been identified. Development and work shall progress in accordance with any mitigation measures contained within the approved report of survey and the timescales contain therein.

Reason: In the interests of nature conservation.

17. A nesting bird survey should be made, not more than 24 hours prior to the commencement of development if this coincides within the main bird breeding season (March- August inclusive) and throughout the breeding bird season if new areas are being developed or there has been a break in construction. All wild bird nests are protected from damage, destruction, interference and obstruction under the Wildlife and Countryside Act 1981 (as amended). Some birds (listed on schedule 1 of the Wildlife and Countryside Act) have heightened protection where it is also an offence to disturb these birds while they are in or around the nest.

Reason: In the interests of nature conservation.

18. No development shall commence until a scheme for the delivery of biodiversity enhancement has been submitted to and approved in writing by the Planning Authority. This shall include a suitable financial mechanism for the delivery of the scheme. Thereafter the scheme shall be implemented prior to first export of electricity from the site and maintained throughout the operation and decommissioning of the development.

Reason: To ensure that the development secures positive effects for biodiversity.

19. Prior to any site excavation or groundworks, a Tree Protection Plan in accordance with BS 5837:2012 (Trees in Relation to Design, Demolition and Construction) is to be submitted to and subsequently approved in writing by the Planning Authority. All retained trees are to be protected against construction damage using protective barriers as per the approved Tree Protection Plan. Barriers are to remain in place throughout the construction period and must not be moved or removed without the prior written approval of the Planning Authority.

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

20. No development shall commence until a revised and stand-alone scheme of Compensatory Planting (including future maintenance) has been submitted to and approved in writing by the Planning Authority. All planting shall be implemented in full no later than 1st April 2025 or prior to first commissioning of the grid connection (which ever is first), or as otherwise agreed with the Planning Authority. The planting shall be maintained thereafter in accordance with the approved scheme.

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

21. There shall be no Commencement of Development unless and until a Habitat Management Plan (HMP) has been submitted to, and approved in

writing by the Planning Authority.

The HMP shall set out proposed habitat management of the site including all mitigation, compensation and enhancement measures, during the period of construction and operation, and shall detail the long term management regimes of the compensation and enhancement measures required of the site. The compensation and enhancement measures must be managed for a minimum of 30 years.

The HMP will include long term habitat measures for species.

The HMP shall include provision for regular monitoring and review to be undertaken against the HMP objectives and measures for securing amendments or additions to the HMP in the event that the HMP objectives are not being met.

GIS Shapefiles must be supplied of the compensation and enhancement areas to the Planning Authority prior to the commencement of works.

Unless and until otherwise agreed in advance in writing with the Planning Authority, the approved HMP (as amended from time to time with written approval of the Planning Authority) shall be implemented in full.

Reason: In the interests of protecting ecological features and to ensure that the development secures positive effects for biodiversity.

Signature: David Mudie
Designation: Area Planning Manager – South
Author: Michael Kordas
Background Papers: Documents referred to in report and in case file.

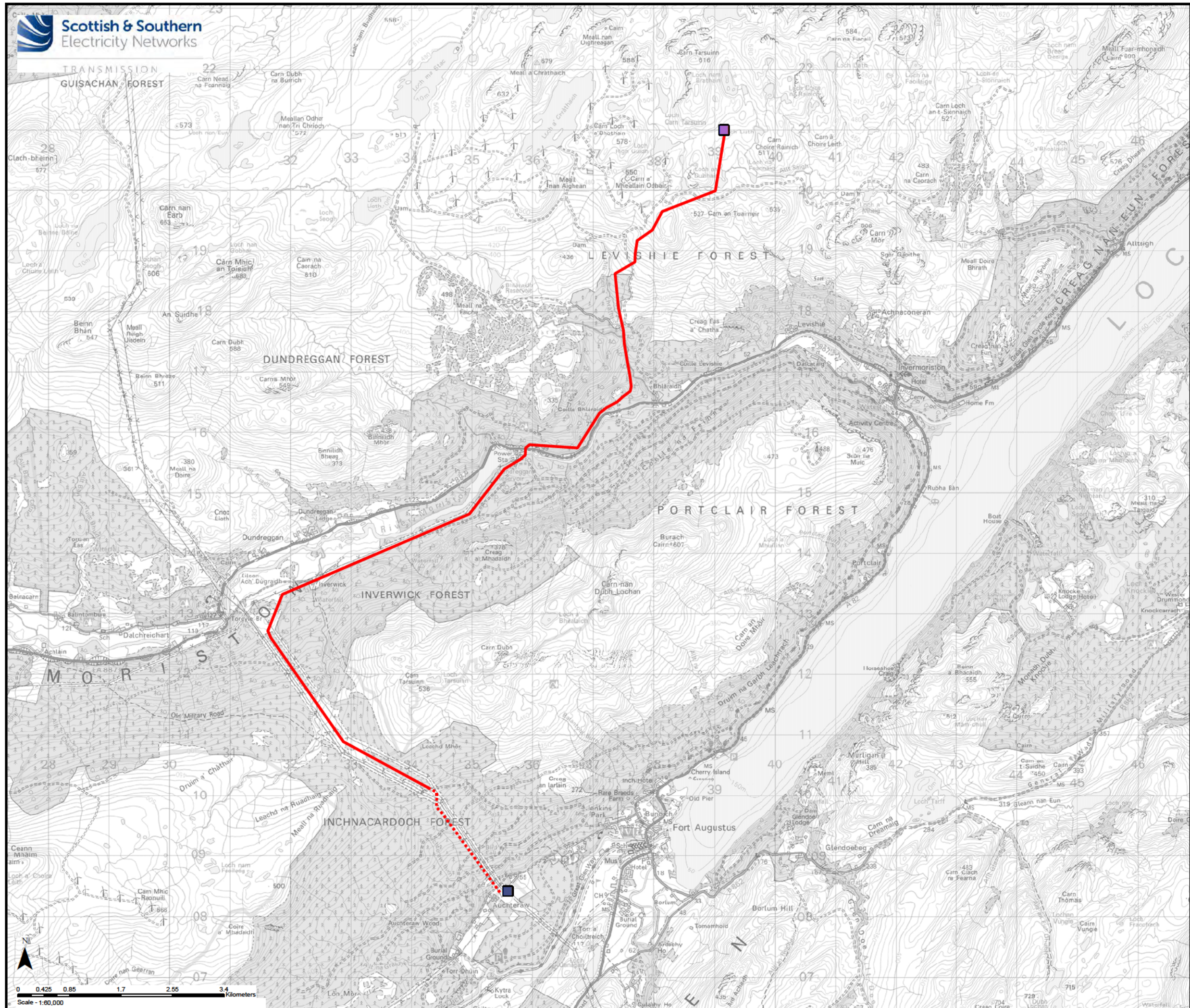
Relevant Plans:

Document Type	Document No.	Version No.	Date Received
Location / Route Plan	120009-D-SCR1-1.0.0		17 January 2023
Environmental Designations Plan	120009-D-SCR2-1.0.0		17 January 2024
Forestry Structure Plan	120009-D-SCR3-1.0.0		17 January 2023
Location Plan	120009-D-EA1.1-1.0.0		29 September 2023
Location Plan	120009-D-LP-1.0.0		29 September 2023

Appendix 2

Other Legal Agreement requirements

Type	Details
Habitat Management Plan	The Habitat Management Plan shall set out proposed habitat management of the site including all mitigation, compensation and enhancement measures, during the period of construction, operation, decommissioning, restoration and aftercare, and shall provide for the maintenance, monitoring and reporting of the habitat on site.



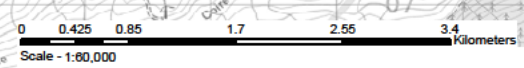
- Key**
- Proposed Bhlaraidh Extension Wind Farm Substation
 - Fort Augustus Substation
 - Preferred OHL Alignment
 - Underground Cable (Indicative Alignment)

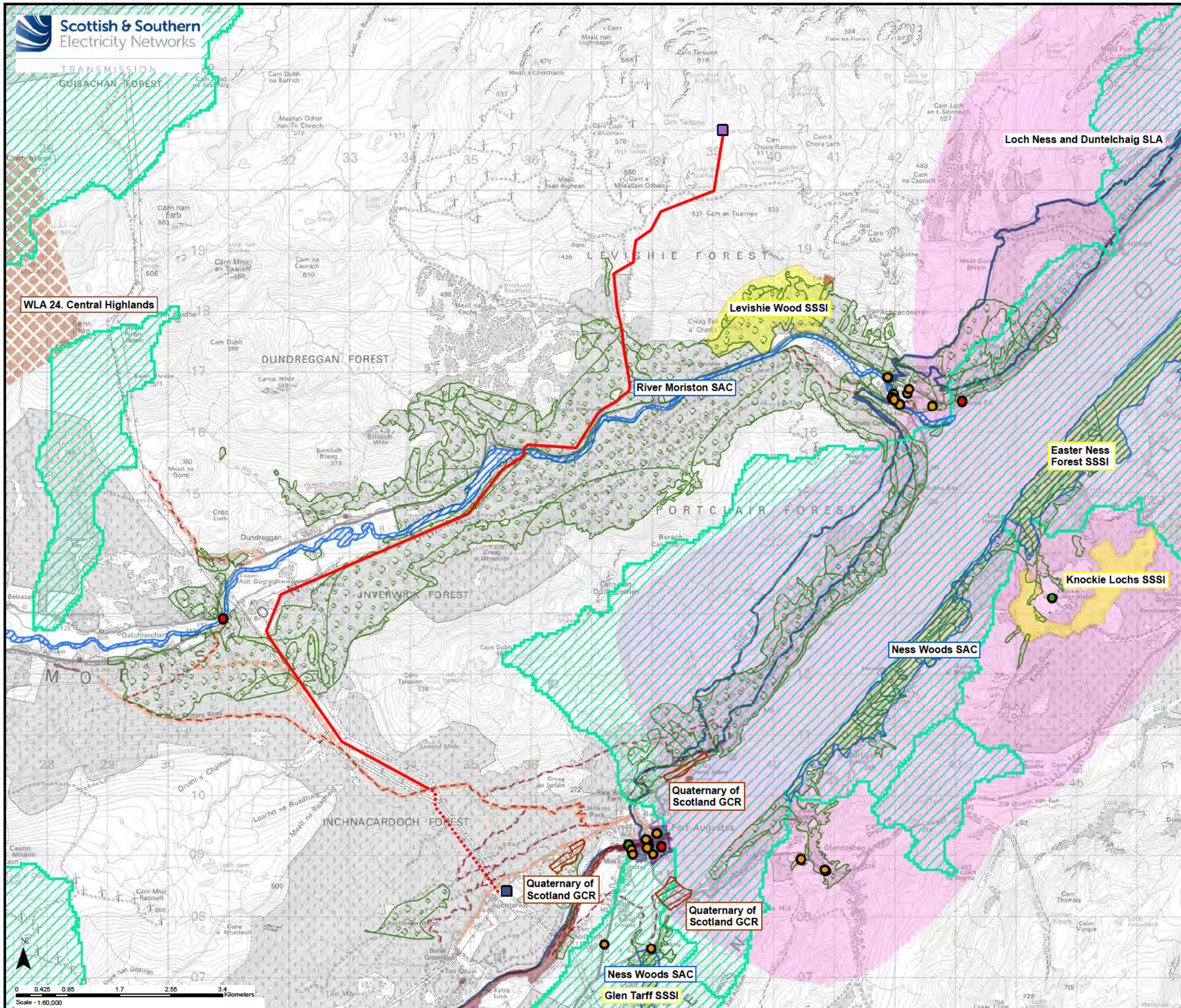
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Project No: LT295
Project: Bhlaraidh Extension Wind Farm Grid Connection Screening Report

Title: Figure 1 - Proposed Development

Drawn by: SK Date: 23/11/2021
Drawing: 120009-D-SCR1-1.0.0





Key

- Proposed Bhlairaidh Extension Wind Farm Substation
- Fort Augustus Substation
- Preferred OHL Alignment
- Underground Cable (Indicative Alignment)

Ecological and Geological Designations

- Special Area of Conservation [SAC]
- Site of Special Scientific Interest [SSSI]
- Ancient Woodland Inventory (category 1a and 2a only)
- Geological Conservation Review [GCR]

Hydrological Designations

- Drinking Water Protected Areas (DWPAs)

Cultural Heritage Constraints

- Scheduled Monument
- Conservation Area
- Listed Building (Category A)
- Listed Building (Category B)
- Listed building (Category C)

Landscape and Visual Constraints

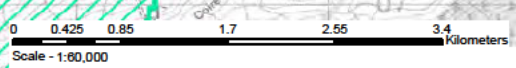
- Wild Land Area (WLA)
- Special Landscape Area (SLA)
- Great Glen Way
- Core Path
- Scottish Hill Tracks (Scotways)

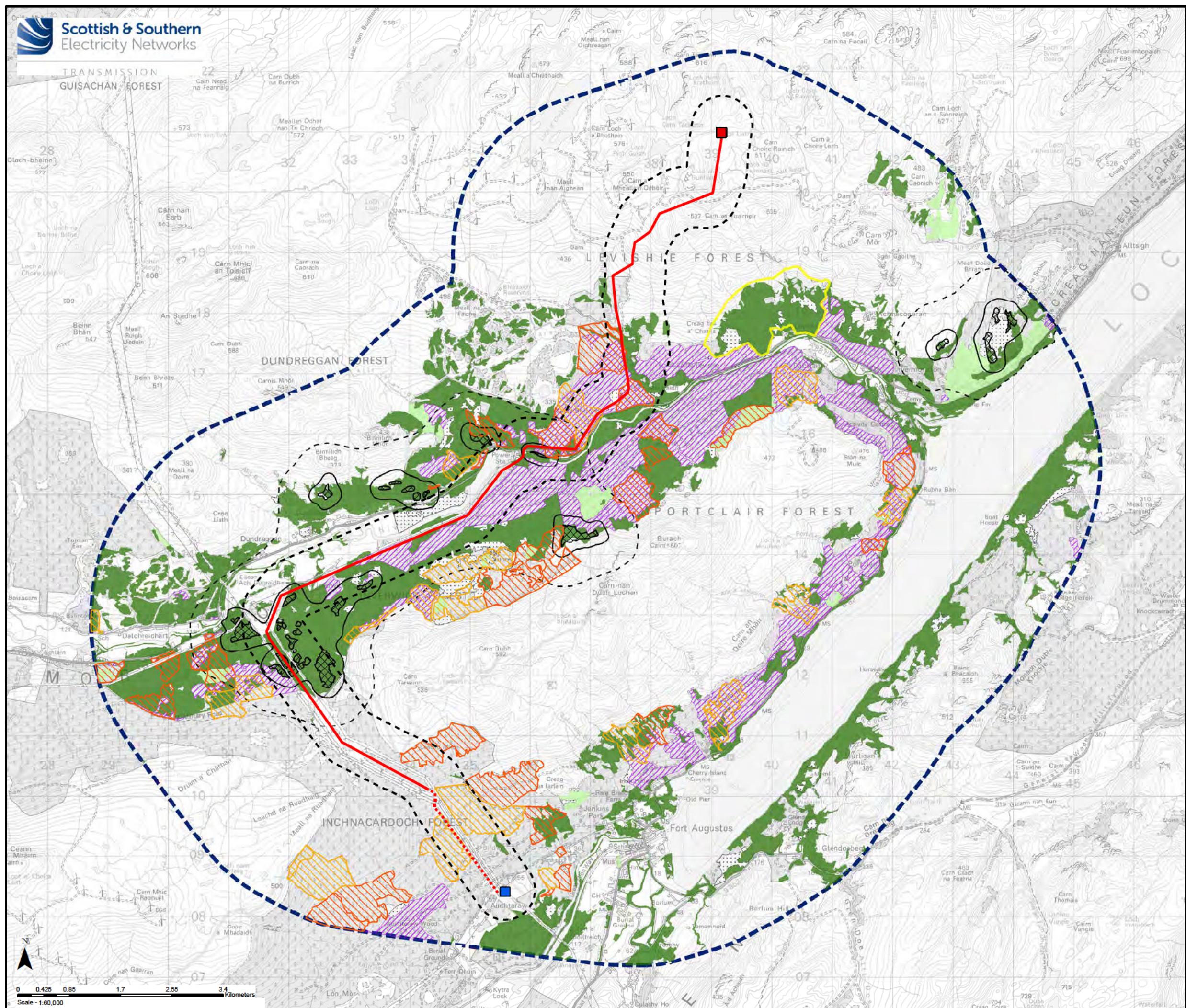
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Project No: LT295
Project: Bhlairaidh Extension Wind Farm Grid Connection Screening Report

Title: Figure 2 - Environmental Designations

Drawn by: SK Date: 23/11/2021
Drawing: 120009-D-SCR2-1.0.0





Key

- Corridor
- Proposed Bhlaraidh Extension Wind Farm Substation
- Fort Augustus Substation
- Proposed Route
- Levischie Wood SSSI

Alignment Options

- Preferred OHL Alignment
- Underground Cable (Indicative Alignment)

Caledonian Pinewood

- Caledonian Pinewood
- Caledonian Pinewood Regeneration Zone
- Caledonian Pinewood Buffer Zone

Native Woodland Survey of Scotland

- Native woodland
- Nearly-native woodland
- Open land habitat
- Plantations on Ancient Woodland Sites (PAWS)

Forestry and Land Scotland Indicative Felling Years

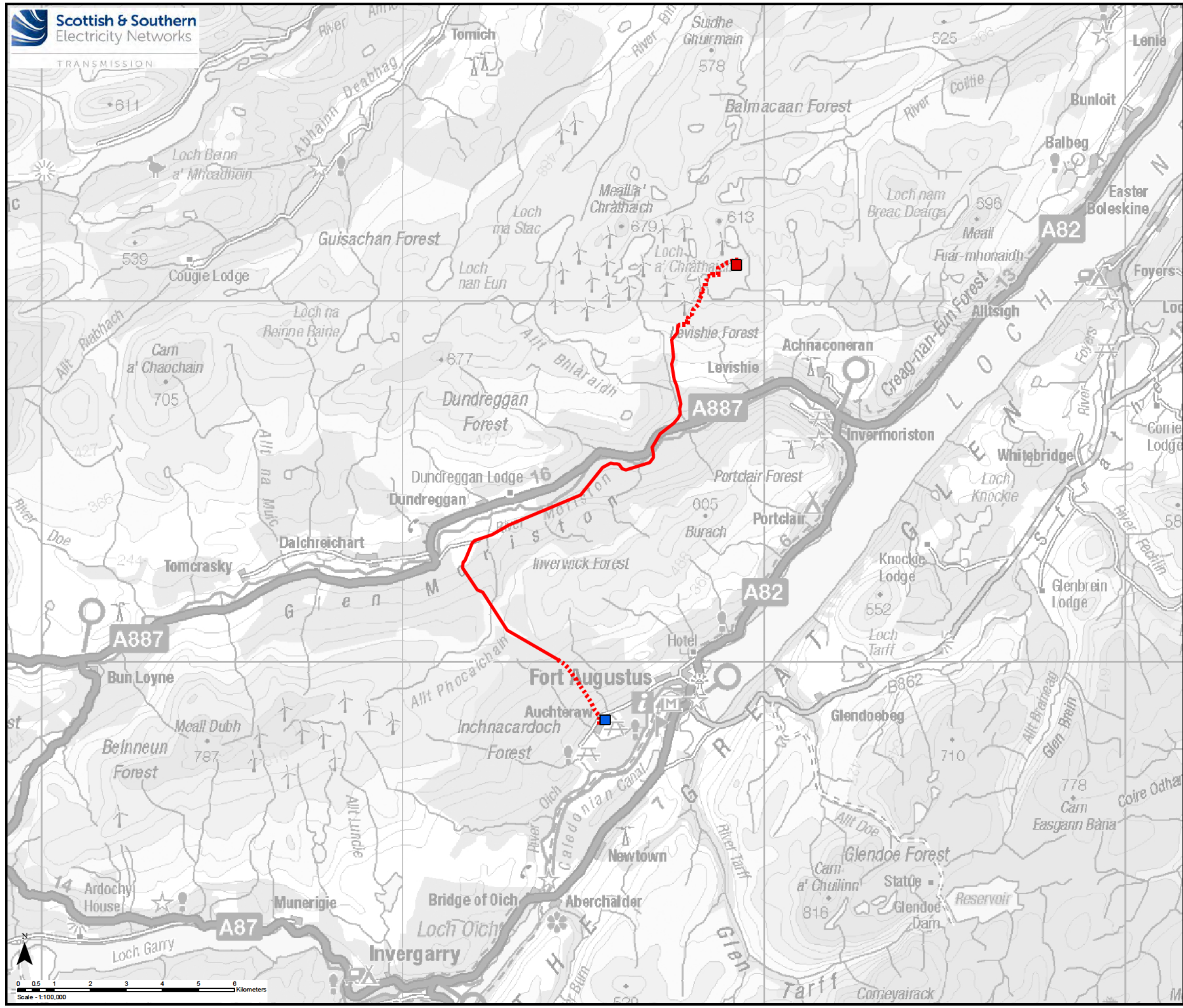
- 2020-2025
- 2026-2030

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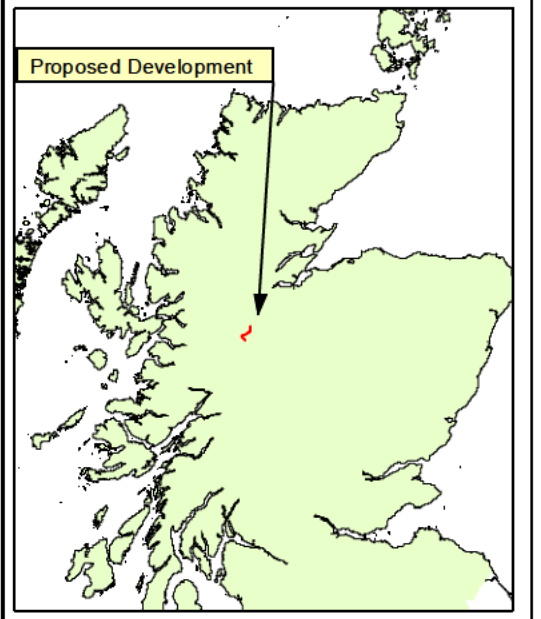
Title: Figure 3 - Forestry Structure

Drawn by: SK Date: 23/11/2021
Drawing: 120009-D-SCR3-1.0.0



Key

- Consented Bhlaraidh Extension Wind Farm Substation
- Fort Augustus Substation
- Proposed 132kV Overhead Line
- ⋯ Proposed Underground Cable

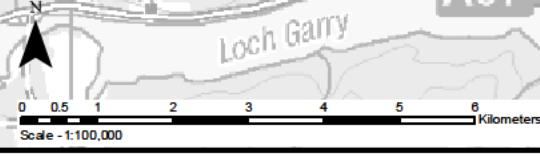


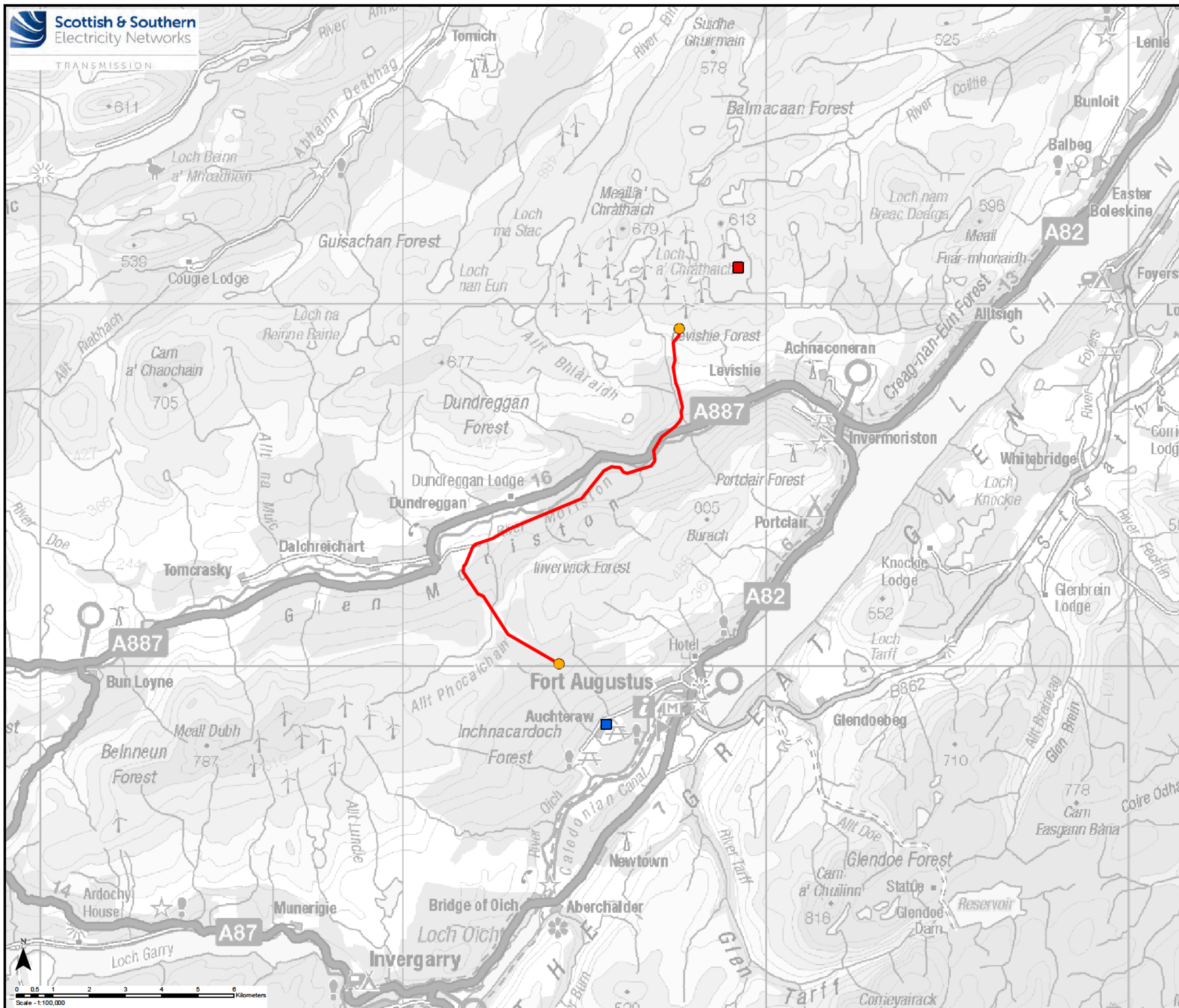
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Project No: LT295
Project: Bhlaraidh Extension Wind Farm Grid Connection Works: Environmental Appraisal

Title: Figure 1.1 - Location Plan

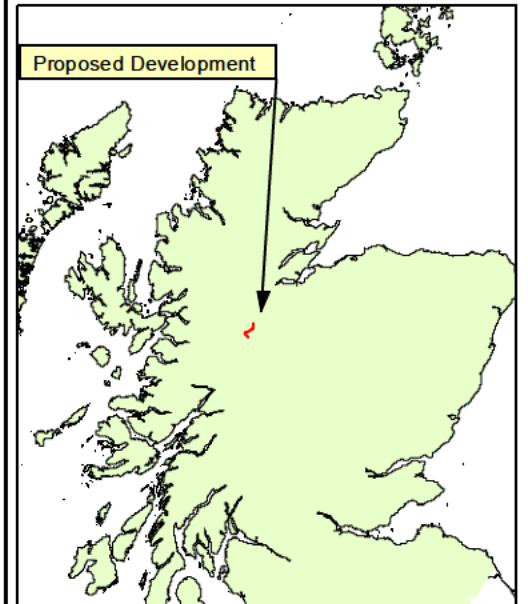
Drawn by: LV Date: 31/10/2022
Drawing: 120009-D-EA1.1-1.0.0





Key

- Consented Bhlaraidh Extension Wind Farm Substation
- Fort Augustus Substation
- Proposed 132kV Overhead Line
- Proposed Cable Sealing End (CSE)



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Project No: LT295
Project: Bhlaraidh Extension Wind Farm Grid Connection Works: Environmental Appraisal

Title: Location Plan

Drawn by: LV Date: 31/10/2022

Drawing: 120009-D-LP-1.0.0