

VOLUME 1: CHAPTER 1 – INTRODUCTION AND BACKGROUND

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There are no appendices associated with this Chapter.

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Figure V1-1.1a to 1c: Overview of the Proposed Development

1. INTRODUCTION AND BACKGROUND

1.1 Overview

- 1.1.1 This Environmental Impact Assessment Report ("EIA Report") has been prepared by ASH design+assessment Limited ("ASH") on behalf of Scottish Hydro Electric Transmission plc ("the Applicant") who, operating and known as Scottish and Southern Electricity Networks Transmission ("SSEN Transmission"), own, operate and develop the high voltage electricity transmission system in the north of Scotland and remote islands. In this EIA Report the Applicant and SSEN Transmission are used interchangeably unless the context requires otherwise. The EIA Report has been prepared to accompany an application for consent under section 37 of the Electricity Act 1989 ("the 1989 Act").
- 1.1.2 The application seeks consent under section 37 of the 1989 Act to construct and operate approximately 110 kilometres (km) of new double circuit steel structure 132 kV overhead transmission line (OHL) between Fort Augustus Substation and Edinbane Substation, and approximately 27 km of new single circuit trident H wood pole (H pole) OHL between Edinbane Substation and Ardmore Substation. This electricity transmission project would also comprise approximately 24 km of underground cable¹, proposed by the Applicant to mitigate likely significant landscape and visual effects, or as a means of rationalising the existing OHL network. In total, the transmission connection extends over a distance of approximately 160 km.
- 1.1.3 In addition, the Applicant is seeking consent for a temporary diversion of the existing 132 kV OHL at Inchlaggan for approximately 750 m to facilitate construction of the new OHL in this location.
- 1.1.4 The Applicant is also seeking deemed planning permission under section 57(2) of the Town and Country Planning (Scotland) Act 1997 for certain elements of the project, or ancillary works required to facilitate its construction and operation. These ancillary works will include the installation of underground cables, cable sealing end compounds, temporary and permanent access tracks, and tree and vegetation clearance.
- 1.1.5 The electricity transmission project is referred to as the Skye Reinforcement Project (and hereafter also referred to interchangeably as "the Proposed Development"). The Proposed Development is required to replace existing assets that are approaching the end of their operational life and provide additional capacity on the transmission network for new renewable generation. Following completion of the Proposed Development, the existing 132 kV OHL between Fort Augustus Substation and Ardmore Substation would be dismantled and removed. An overview of the Proposed Development is shown on **Figures V1-1.1a to 1c: Overview of the Proposed Development**. The Proposed Development comprises a Proposed Alignment and, as described in Part 1.2 of this Chapter, an Alternative Alignment within Section 3² of the project. This Alternative Alignment is also shown on **Figures V1-1.1a to 1c: Overview of the Proposed Development**.
- 1.1.6 An Environmental Impact Assessment ("EIA") has been undertaken for the Proposed Development in accordance with the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 to assess the likely significant effects of the Proposed Development. The findings of the EIA are presented in this EIA Report, including the measures which would be taken to prevent, reduce and, where possible, offset predicted likely significant adverse effects.
- 1.1.7 Other associated works for which separate consent under the Town and County Planning (Scotland) Act 1997 would be sought by the Applicant include extensions to Broadford and Edinbane Substations. These works do not form part of the Proposed Development and are therefore not assessed as such in this EIA Report,

¹ Deemed planning consent under Section 57(2) of the Town and Country Planning Act 1997 would be sought for the installation and operation of underground cables.

² Given the length of the route for the Proposed Development, for the purposes of this EIA Report, the route for the new 132 kV transmission connection has been split into seven defined geographical 'sections'. This is discussed further in Part 1.6 of this Chapter.

although the consideration of the potential for cumulative effects with the Proposed Development is considered, where relevant.

- 1.1.8 Works are also required at Quoich Tee, near Kingie, to construct and operate a new switching station. These works are asset replacement works being undertaken by the Applicant to replace the current tee point with a modern switching station to allow for the Loch Quoich power station to be connected to the transmission network. These asset replacement works do not form part of the Proposed Development are therefore not assessed in detail in this EIA Report, although consideration of the potential for cumulative effects with the Proposed Development is considered, where relevant.

1.2 Alternative Alignment in Section 3 – Broadford to Kyle Rhea

- 1.2.1 As referred to in paragraph 1.1.5 of this Chapter, this application also seeks consent under section 37 of the 1989 Act for an alternative option within Section 3 of the project between Broadford and Kyle Rhea, referred to as the “Alternative Alignment”. The Alternative Alignment would follow the same alignment as the Proposed Alignment from Broadford Substation to the minor road to Glen Arroch, as shown in **Figures V6-2.1a to e: The Alternative Alignment**. At this point, the Proposed Alignment continues eastwards following a similar course to the existing OHL around the headland to the existing crossing towers at Kyle Rhea, whereas the Alternative Alignment would follow the minor road through Glen Arroch and Kyclerhea Glen, as shown on **Figure V6-2.1c to e: The Alternative Alignment**. Prior to reaching the settlement at Kyclerhea, the Alternative Alignment is routed in a northerly direction via the lower slopes of Beinn Bhuidie and through commercial forestry to the existing crossing towers at Kyle Rhea, as shown on **Figure V6-2.1e: The Alternative Alignment**. The total length of the Alternative Alignment would be approximately 20.8 km in length, whereas the Proposed Alignment in Section 3 would be 20 km.

- 1.2.2 The decision taken by the Applicant to include both options within the consent 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 Conservation³ (SAC). That means the Scottish Ministers have duties as the competent authority under The Conservation of Habitats and Species Regulations 2017 (the “Habitats Regulations”). Those duties can be summarised as requiring the following steps to be taken before a decision is reached:

- Step 1: To consider whether the project is directly connected to or necessary for the management of the SAC. If not then,
- Step 2: Consider whether the project, alone or in combination with other plans or projects, is likely to have a significant effect on the SAC. If so then,
- Step 3: Make an Appropriate Assessment of the implications for the SAC in view of its conservation objectives.
- Step 4: Consider whether it can be ascertained that the proposal would not adversely affect the integrity of the SAC having regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which it is proposed that the consent, permission or other authorisation should be given. If it is ascertained that there are no adverse effects on the integrity (“AEOI”) of the SAC, then the Scottish Ministers may grant consent. If that cannot be ascertained they may only grant consent if Steps 5 to 6 are undertaken.
- Step 5 is to consider whether feasible alternatives exist that would avoid AEOI or have less severe AEOI. If there are no feasible alternatives to the project then Ministers would proceed to the next step.
- Step 6 is to consider whether, despite any AEOI, the project should proceed for Imperative Reasons of Overriding Public Interest (“IROPI”). In the case of priority species or habitat, the IROPI must be (a) reasons relating to human health, public safety or beneficial consequences of primary importance to the environment or (b) other reasons; but in the case of (b) the Scottish Ministers have duties as the

³ Also designated as a Site of Special Scientific Interest (SSSI).

appropriate authority under the Habitats Regulations to have regard to the national interest, and to seek and have regard to the opinion of prescribed consultees.

- 1.2.3 If, following Step 6, the Scottish Ministers agree to consent the project they must ensure that any necessary compensatory measures to ensure the coherence of the national site network are taken.
- 1.2.4 While it is for the Scottish Ministers to consider and form their own opinion on the six steps above, the Applicant provides information to be taken into account by Scottish Ministers. This is presented in a shadow Habitats Regulations Appraisal (“shadow HRA”) within **Appendix V2-4.7** of this EIA Report. The shadow HRA predicts that, after the consideration of mitigation measures, an 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).
- 1.2.5 The Applicant’s view is that there are no other feasible alternatives to the Proposed Development, and there are IROPI that would justify the grant of consent for the Proposed Development comprising the Proposed Alignment and as presented in **Figures V1-1.1a to 1c: Overview of the Proposed Development**), notwithstanding the AEOI, and provided compensatory measures are taken. This represents the Applicant’s preference. If Scottish Ministers were to agree that the Applicant’s Proposed Alignment within Section 3 should be consented, the Applicant would request that consent be granted for that option within Section 3, and refused in respect of the Alternative Alignment. Information to support the Applicant’s view under the Habitats Regulations that there are no other feasible alternatives available to deliver the electricity transmission project is discussed in **Volume 1: Chapter 2 - Project Need and Strategy** and **Volume 1: Chapter 4 - The Routeing Process and Alternatives**.
- 1.2.6 In order to ensure the Scottish Ministers as competent authority have sufficient detail for all six steps above, environmental information in relation to the Alternative Alignment is therefore provided within Volume 6 of this EIA Report, and the Alternative Alignment is considered in the shadow HRA. In the event that Scottish Ministers were to conclude, contrary to the Applicant’s view, that the Proposed Alignment within Section 3 should not be consented, the Applicant seeks consent for the Alternative Alignment. Only one of the options would be built and the Applicant requests that Scottish Ministers consent only one of the two options. This approach avoids the need to bring forward a separate application, and allows all relevant issues to be considered together. Doing so is important to ensuring security of supply is maintained, and that proposed renewable developments in support of Net Zero targets can be accommodated within reasonable timescales.
- 1.2.7 Whether the Proposed Development comprising the Proposed Alignment and Applicant’s preference within Section 3 is consented for IROPI, or Scottish Ministers deem consent for the Alternative Alignment should instead be granted, compensatory measures will be required. Preliminary analysis of possible compensation options and compensation areas indicate there are a number of potential options in and around, and continuous with, the SAC for the four qualifying habitats predicted to be adversely affected by the Proposed Development. Such options are discussed further in the Shadow HRA contained within **Appendix V2-4.7** of this EIA Report, and the Applicant remains in discussion with relevant landowners and stakeholders to secure appropriate measures.

1.3 Background

- 1.3.1 The Applicant owns and maintains the electricity transmission network across the north of Scotland and holds a transmission licence under the 1989 Act. In terms of section 9(2) of the 1989 Act, the Applicant has a statutory duty to develop and maintain an efficient, co-ordinated and economical system of electrical transmission, and a separate duty to facilitate competition between current and new generators of electricity.
- 1.3.2 The existing 132 kV OHL from Fort Augustus to Ardmore on the Isle of Skye (“the existing OHL”) is the sole connection from the mainland electricity transmission system to Skye and the Western Isles. Recent studies

into the condition of the existing OHL have confirmed that the OHL between Quich Tee Switching Station (near Kingie) and Ardmore Substation requires to be rebuilt in order to fulfil the Applicant's statutory duty to ensure security of supply. An additional driver for the Proposed Development is that as a result of an increase in renewable energy generation projects for which access to the electricity transmission network is being formally requested, there is a requirement to increase the capacity of the existing OHL for the entirety of its length between Ardmore and Fort Augustus. This would in turn support the UK and Scottish Government national energy policy targets for Net Zero, and improve the security of supply for Skye and the Western Isles. National planning policy and energy policy objectives are summarised in **Volume 1: Chapter 7 - Planning and Energy Policy Context**.

1.3.3 As a result, SSEN Transmission has analysed the needs case and system planning requirements for the project to ensure the approach for upgrading the transmission network serving Skye ensures that the best sustainable long-term solutions are identified. A more detailed explanation of project need is set out in **Volume 1: Chapter 2 - Project Need and Strategy**.

1.3.4 As part of that process SSEN Transmission, under the auspices of SHE Transmission, 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. This work was carried out prior to selecting a proposed route, the proposed alignment, and finalising the design solution for the Proposed Development. 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 as described in this EIA Report. Further detail on the routeing and alignment selection stages of the project is contained within **Volume 1: Chapter 4 - The Routeing Process and Alternatives**.

1.4 Legislative and Statutory Context

1.4.1 Consent for the project is sought from Scottish Ministers under section 37 of the 1989 Act. The 1989 Act (as amended) is the primary legislation governing the electricity supply industry in Great Britain and places statutory and licence obligations upon a licence holder.

1.4.2 The Applicant, as a transmission licence holder under the 1989 Act has a statutory duty, under paragraph 1 of Schedule 9 of the 1989 Act 'when formulating proposals to generate, transmit, distribute or supply electricity' to:

- "have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest"; and
- "do what [it] reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects".

1.4.3 The requirement to undertake an EIA for developments requiring consent under section 37 of the 1989 Act is set out in the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017⁴, (hereafter referred to as 'the EIA Regulations'). This is discussed further in Part 1.5 of this Chapter.

1.4.4 Construction of the Proposed Development and ancillary works constitutes development in terms of section 26 of the Town and Country Planning (Scotland) Act 1997 ("the Planning Act"). Accordingly, these works require planning permission. However, section 57(2) of the Planning Act provides that on the granting of a consent under section 37 of the 1989 Act, for overhead transmission lines and ancillary development, the Scottish Ministers may direct that planning permission for that development shall be deemed to be granted. Deemed

⁴ The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, available at <https://www.legislation.gov.uk/ssi/2017/101/contents/made>. Accessed 13/06/2022.

planning permission under section 57 of the Planning Act is therefore being sought from the Scottish Ministers in terms of the application.

1.4.5 Some parts of the Proposed Development cross through, or within the vicinity of, sites of European nature conservation importance, as defined by European Council Directives of 2 April 1979 on the Conservation of Wild Birds (79/409/EEC) and of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (92/43/EEC). The Directives were implemented in the UK by the Conservation (Natural Habitats &c) Regulations 1994, and those Regulations as amended remain in force post-Brexit. For projects requiring consent under the 1989 Act, the Conservation of Habitats and Species Regulations 2017 apply. Where a plan or project is likely to have a significant effect on a European site, and that plan or project is not directly connected with or necessary to the management of the site, such sites are protected by the duties placed on competent authorities. Those duties include the requirement to make an appropriate assessment of the implications for the site in view of the site's conservation objectives and, in general terms, to agree to the plan or project only after having ascertained that it will not affect the integrity of the site⁵, or where adverse effects exist, there are no alternative solutions, it can be justified for IROPI and compensatory measures can be secured.

1.4.6 Information is provided in this EIA Report to assist the competent authority's appropriate assessment of the likely significant effects of the Proposed Development on European sites.

1.5 The Need for EIA

1.5.1 The Proposed Development is classified as Schedule 2 development under the EIA Regulations by virtue of it being classed as:

"The carrying out of development (other than development which is Schedule 1 development) to provide any of the following -

(2) an electric line installed above ground –

(a) with a voltage of 132 kilovolts or more"

1.5.2 Whilst this does not automatically trigger the requirement for an application for development consent to be supported by an EIA Report, given that the Proposed Development passes close to, or crosses a number of sites with environmental designations and sensitive areas, it was considered that an EIA Report should be prepared and submitted with the application for the necessary electricity consent and deemed planning permission. The EIA Report provides environmental information in accordance with Schedule 4 of the EIA Regulations.

1.5.3 A request for a Scoping Opinion was made to the Scottish Ministers under Regulation 12 of the EIA Regulations in December 2021. A Scoping Report⁶ was submitted to support the request, which sought input from statutory and non-statutory consultees regarding the information to be provided within this EIA Report.

1.5.4 The Scoping Opinion of the Scottish Ministers was issued in April 2022 confirming the scope of the EIA Report. Further details are contained in **Volume 1: Chapter 6 - Scope and Consultation**, and associated appendices.

1.6 EIA Report Structure

1.6.1 Given the length of the route for the Proposed Development, for the purposes of this EIA Report, the route for the new 132 kV transmission connection has been split into seven defined geographical 'Sections' to describe

⁵ The integrity of a site can be defined as the coherence of all its ecological structure and function, across its whole area, which enables it to sustain the habitat, complex of habitats and/or the levels of populations for which it was classified.

⁶ Scoping Report - Skye Reinforcement Project - December 2021, produced by SSEN Transmission

more easily the Proposed Development and baseline environmental factors. These ‘Sections’, which were also adopted through the route and alignment selection stages of the project (see **Volume 1: Chapter 4 - The Routing Process and Alternatives**) are broadly defined as follows:

- Section 0 – Ardmore to Edinbane;
- Section 1 – Edinbane to North of Sligachan;
- Section 2 – North of Sligachan to Broadford;
- Section 3 – Broadford to Kyle Rhea;
- Section 4 – Kyle Rhea to Loch Cuaich;
- Section 5 – Loch Cuaich to Invergarry; and
- Section 6 – Invergarry to Fort Augustus.

1.6.2 An overview of the route of the Proposed Development, including the geographical Sections referred to above, is shown on **Figures V1-1.1a to 1c: Overview of the Proposed Development**. These plans include labelling which, under reference to the key on each plan, identify Sections 0 to 6 as described in the above paragraph.

1.6.3 This EIA Report consists of the following volumes:

- Volume 1: Main Report;
- Volume 2: Technical topic based reports;
- Volume 3: Figures;
- Volume 4a: Visualisations to NatureScot guidelines⁷;
- Volume 4b: Visualisations to The Highland Council guidelines⁸;
- Volume 5: Appendices to support each of the Chapters in the EIA Report where required;
- Volume 6: EIA of Alternative Alignment; and
- Non-Technical Summary.

1.6.4 Volume 1 of the EIA Report provides an introduction to the electricity transmission project and sets out the project need and the strategic system planning considerations for delivering the project. The Volume also provides a description of the key components of the Proposed Development, including construction, operational and dismantling access requirements, and the main alternatives considered during the development of the project. The Volume also contains detail on the approach to the EIA Report, the consultations that have been undertaken to define the scope of the EIA and an overview of relevant planning and energy policy. The Volume concludes with a summary of the likely significant effects of the Proposed Development, with reference to the detailed assessments reported in Volume 2 (for the Proposed Alignment) and Volume 6 (for the Alternative Alignment) of the EIA Report.

1.6.5 Volume 2 comprises a series of technical topic based reports that each include an assessment of the likely significant effects of the Proposed Development (comprising the Proposed Alignment) on the particular receptors of relevance to each of the topic based assessments, a description of the proposed mitigation measures relevant to those assessments, and confirmation of the predicted residual effects. The consideration of cumulative effects, and those effects that may cross ‘Section’ boundaries’ is also discussed where relevant in each specialist topic within Volume 2. Chapter 2 of Volume 2 provides an overview of each Section, together with a description of the elements of the Proposed Development, ancillary development and associated works located within each of the geographical sections.

⁷ Scottish Natural Heritage (SNH), (2017), Visual Representation of Wind Farms (Version 2.2) (SNH, 2017)

⁸ The Highland Council (THC), (2016), Visualisation Standards for Wind Energy Developments (THC, 2016)

- 1.6.6 Volume 3 contains supporting figures referred to in Volumes 1, 2 and 6 of the EIA Report. Figures associated with Volume 1 include the prefix 'V1' whereas figures associated with Volume 2 include the prefix 'V2' and figures associated with Volume 6 include the prefix 'V6'.
- 1.6.7 Volume 4 (a and b) comprises photomontage visualisations of the Proposed Development from a series of viewpoints throughout the route that have been prepared in accordance with the relevant guidance from both NatureScot (Volume 4a) and The Highland Council (Volume 4b). Visualisations are included for both the Proposed Alignment and the Alternative Alignment within Section 3.
- 1.6.8 Volume 5 comprises supporting appendices to Volumes 1, 2 and 6 of the EIA Report. Appendices include a schedule of mitigation and further detailed reporting or information to support the EIA Report and technical assessments contained therein. Other notable appendices include shadow HRAs where the Proposed Development crosses through, or within the vicinity of, sites of European nature conservation importance. Appendices associated with Volume 1 include the prefix 'V1', whereas appendices associated with Volume 2 include the prefix 'V2' and appendices associated with Volume 6 include the prefix 'V6'.
- 1.6.9 Volume 6 contains a description of the Alternative Alignment within Section 3 of the project, and the results of an EIA undertaken for the Alternative Alignment.
- 1.6.10 A standalone Non-Technical Summary is also provided which describes the project and the likely significant effects predicted in a concise, non-technical manner.
- 1.6.11 A Planning Statement is also included with the application as supporting information and in accordance with the request of The Highland Council in its scoping response. The Planning Statement considers the compatibility of the Proposed Development in the context of existing and emerging development plan and national energy and planning policies. **Volume 1: Chapter 7 - Planning and Energy Policy Context** provides an overview of the relevant planning and energy policy context for the Proposed Development and the separate Planning Statement contains an assessment in respect of the Proposed Development against relevant planning policy.
- 1.7 Notifications**
- 1.7.1 In accordance with the Electricity (Applications for Consent) Regulations 1990, and Regulation 14 of the EIA Regulations, the application and this EIA Report will be advertised in the Press and Journal and West Highland Free Press newspapers. Adverts will also be placed in the Edinburgh Gazette.
- 1.7.2 Notice of the section 37 application, including this EIA Report and associated documents and figures, will be available for viewing at the following public locations during normal opening hours:
- Portree and Raasay Service Point, Tigh-na-Sgìre, Park Lane, Portree, IV51 9GP (normal opening hours Monday to Friday 1.30pm to 4.30pm);
 - Broadford Library and Service Point, Old Corry Road, Broadford, IV49 9AB (normal opening hours Tuesday to Friday 10.30am to 2pm and 3pm to 5pm); and
 - Fort Augustus Village Hall, Bunoich Brae, Fort Augustus, PH32 4DG (opening of the hall to be arranged by appointment by calling 01320 366800).
- 1.7.3 An electronic version is available online at <https://www.ssen-transmission.co.uk/projects/skye-reinforcement/>

1.7.4 This EIA Report is available in other formats if required. For details, including costs, contact:

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