

Iain Aitchison  
Case Manager  
Energy Consents Unit  
The Scottish Government  
4th Floor  
5 Atlantic Quay  
150 Broomielaw  
Glasgow  
G2 8LU

Tara Cowley  
Senior Consents & Environment Manager  
Scottish Hydro Electric Transmission plc  
Inveralmond House  
200 Dunkeld Road  
Perth  
PH1 3AQ

e-mail – [tara.cowley@sse.com](mailto:tara.cowley@sse.com)

**Our ref:** Spittal-Loch Buidhe-Beaully OHL\_S37 Application

14 August 2025

**Your ref:** ECU00006008

Dear Iain

**Application for consent under Section 37 of the Electricity Act 1989 to install, operate and keep installed approximately 173km of new 400 kV Overhead Line (OHL), supported on steel lattice tower structures including downleads, between proposed new substations at Banniskirk (ND 15905 56823) in the area of Spittal, and Fanellan (NH 48534 43208) in the area of Beaully, with a connection via a proposed new substation at Carnaig (NH 65053 97458) near to the existing substation at Loch Buidhe, in the area of Bonar Bridge.**

**The Proposed Development also includes Permanent diversion works required to existing 132 kV and 275 kV OHLs, of approximately 18km in total, to enable the construction of the Proposed Development, including the temporary diversion works required to construct the permanent diversion, and ancillary development and associated works.**

**In total, the Proposed Development would comprise approximately 191km of new OHL.**

**The Proposed Development is known as the Spittal to Loch Buidhe to Beaully 400 kV OHL Connection**

Scottish Hydro Electric Transmission plc (the Applicant), operating and known as Scottish and Southern Electricity Networks Transmission (SSEN Transmission), owns, operates and develops the high voltage electricity transmission system in the north of Scotland and the islands and holds a license under the Electricity Act 1989 to develop and maintain an efficient, co-ordinated and economical system of electricity transmission.

SSEN Transmission submits this application for consent under Section 37 of the Electricity Act 1989 for the installation and operation of the **proposed Spittal to Loch Buidhe to Beaully 400 kV Overhead Line (OHL) Connection** (*the Proposed Development*).

Given the length of the proposed alignment for the new 400 kV OHL connection, and to describe more easily the baseline environmental factors, the OHL has been split into five defined geographical 'Sections'. The Sections are Section A: Spittal to Brora, Section B: Brora to Loch Buidhe, Section C: Loch Buidhe to Dounie, Section D: Dounie to Near Strathpeffer, and Section E: Near Strathpeffer to Beaully.

The Applicant also seeks a direction under section 57(2) of the Town and Country Planning (Scotland) Act 1997 that planning permission for the development be deemed to be granted.

*Development for which Section 37 Consent and deemed planning permission is sought*

The Proposed Development would include the following works, for which Section 37 consent under the 1989 Act and deemed planning permission under the Town and Country Planning (Scotland) Act 1997 ('the Planning Act') is sought to install, operate and keep installed:

- Approximately 173km of new 400 kV OHL, supported on steel lattice tower structures, including downleads, between proposed new substations at Banniskirk (ND 15905 56823) in the area of Spittal, and Fanellan (NH 48534 43208) in the area of Beaully, with a connection via a proposed new substation at Carnaig (NH 65053 97458) near to the existing substation at Loch Buidhe, in the area of Bonar Bridge. This is referred to as the Spittal to Loch Buidhe to Beaully 400 kV OHL Connection (the "Proposed Development").
- The Proposed Development also includes permanent diversion works required to existing 132 kV and 275 kV OHLs, of approximately 18km in total, to enable the construction of the Proposed Development including the temporary diversion works required to construct the permanent diversions.
- In total, the Proposed Development would comprise approximately 191km of new OHL.

For further details please refer to **Volume 1 Chapter 3 Project Description**.

*Ancillary Development for which Deemed Planning Permission is sought*

The following works would be required as part of the Proposed Development, or to facilitate its construction and operation:

- The formation of access tracks (permanent, temporary, and upgrades to existing tracks) and the installation of structures, for example, bridges and culverts to facilitate access;
- Public road improvements (PRI) which would be required in some areas to facilitate construction traffic;
- The upgrade of existing, or creation of new, 'bellmouths' (i.e. junctions with curved entry and exit points) at public road access points;
- Other temporary measures required during construction, such as measures to protect existing infrastructure and water crossings during construction (scaffolding etc.);
- Formation of flat areas from which the conductor will be pulled during construction, which will contain earthed metal working surfaces referred to as Equipotential Zones (EPZs);
- Working areas around infrastructure to facilitate construction;
- Removal of redundant sections of the existing OHLs, following construction and energisation of the permanent diversion works; and
- Tree felling and vegetation clearance to facilitate construction and operation of the Proposed Development, to comply with the Electricity Safety, Quality and Continuity Regulations (ESQCR)

For further details please refer to **Volume 1 Chapter 3 Project Description**.

The Applicant has also included a list of other associated works that are expected to be required to facilitate the Proposed Development; for further details please refer to **Volume 1 Chapter 3 Project Description**.

*Established Need for the Proposed Development*

The Proposed Development is required due to the outcome of the extensive studies completed to inform the NESO's Pathway to 2030 HND and Networks Options Assessment 2021/22 Refresh. This confirmed the requirement to increase the power transfer capacity of the onshore corridor from Spittal to Beaulay; the introduction of a new 400 kV OHL connection between these locations will enable the significant power transfer capability needed to take power from onshore and large scale offshore renewable generation and transport it to areas of demand. Further details are outlined in **Volume 1 Chapter 2: Established Need for the Proposed Development**.

The Proposed Development is classified as Schedule 1 development under the *EIA Regulations* by virtue of it being classed as “*construction of overhead electrical power lines with a voltage of 220 kilovolts or more and a length of more than 15 kilometres*”.<sup>1</sup>

The Proposed Development was subject to a request to Scottish Ministers on 25<sup>th</sup> October 2024 for an Environmental Impact Assessment Scoping Opinion under Regulation 12 of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017. The EIA Report is therefore based on the Scoping Opinion issued by the Scottish Ministers on 5<sup>th</sup> February 2025 (ref: ECU00006008), including any information or assessment that was identified to the Applicant as being required by statutory consultees following the issue of the scoping opinion.

Accordingly, this application for consent is accompanied by an Environmental Impact Assessment Report (EIA Report). The Applicant has also prepared a Habitats Regulation Appraisal, and other supporting documents including a Planning Statement and Pre-Application Consultation (PAC) Report are included with the application. **Annex 1** to this letter includes a list of all documentation forming part of the application for consent.

*Additional Information supporting the application for consent*

The Applicant has prepared a number of **Supporting Documents** which are submitted with the application for consent. These documents satisfy the requirement for information in relation to the pre-application consultation measures the Applicant has undertaken in advance of the submission of the application for consent, and also an assessment of the Proposed Development against the provisions of the relevant Development Plan. These documents take the form of a Pre-Application Consultation Report (PAC Report) and Planning Statement respectively.

The Supporting Documents also include information that the Applicant considers to be of relevance to the Proposed Development but that relates to topics that were scoped out of the EIA Report. This includes an Aviation Risk Assessment Report, Electric and Magnetic Field Study Report, and a Socio-Economic Report.

In accordance with the Scottish Government's Priority Applications for Transmission Infrastructure guidance: Section 37 of the Electricity Act 1989, this letter sets out below the measures taken by the

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<sup>1</sup> [The Town and Country Planning \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017](#)

Applicant and details the contents of the application (with references to specific locations within the EIA Report where relevant) to satisfy the requirements of the guidance and ensure that a complete application has been submitted. The information below is based on the list of requirements included in Section 7 of the above referenced guidance.

It is the Applicant's view that that all necessary environmental information has been submitted with the application to enable the Scottish Ministers to undertake an assessment of the Proposed Development and arrive at a determination of consent.

Priority Applications for Transmission Infrastructure guidance Requirement	Submission location reference
<p>Location plan and Site plan, showing clearly and at appropriate scale the location of all infrastructure for which section 37 consent and deemed planning permission (where relevant) is sought, including towers or poles, and any ancillary development</p>	<p>The location of the Proposed Development and related substation proposals is included within the EIA Report at <b>Volume 3, Figure 1.1: Overview of the Proposed Development.</b></p> <p>A Location Plan is also submitted with the application.</p> <p>A description of the Proposed Development is provided in <b>Chapter 3: Description of the Proposed Development.</b></p> <p><u>Please note:</u> Tower numbers are labelled as North (N) 1 to 297 for towers between the proposed substations at Banniskirk and Carnaig (Sections A and B) and South (S) 1 to 232 for towers between the proposed substations at Carnaig and Fanellan (Section C, D and E).</p>
<p>The entirety of the environmental information required in an EIA report, where the proposal is deemed to be EIA development</p>	<p>The information is contained within the <i>Spittal to Loch Buidhe to Beaully 400kV OHL Connection EIA Report</i> as listed in <b>Annex 1</b> that accompanies this cover letter.</p> <p>The EIA Report has been informed by, and responds to matters raised within, the EIA Scoping Opinion issued by Scottish Ministers on 5<sup>th</sup> February 2025.</p> <p>A number of <b>Supporting Documents</b> are also submitted with the application; these documents provide information additional to that contained within the EIA Report. The Supporting Documents are also listed in Annex 1.</p>

<p>An explanation of how all the scoping responses from statutory consultees have been addressed (for EIA developments)</p>	<p>An overview of the EIA Scoping Process is included in <b>Volume 1 Chapter 6 Scope and Consultation</b>.</p> <p>A detailed Scoping Matrix is appended to the EIA Report at <b>Volume 5, Appendix 6.3</b>. This sets out how the Applicant has responded to all comments and issues raised by statutory consultees as part of the EIA Scoping process, and includes details of how the Scoping Opinion issued by Scottish Ministers on 5<sup>th</sup> February 2025 has informed the scope and content of the EIA and supporting EIA Report.</p> <p>A list of the topics that were scoped out from the EIA, and a summary of the reasons for this, is also included at <b>Volume 1 Chapter 6 Scope and Consultation</b>.</p>
<p>Details of the established need for and of the anticipated benefits of the project</p>	<p>Details of the established need for the project are outlined in <b>Volume 1 Chapter 2: Established Need for the Proposed Development</b>.</p>
<p>A detailed explanation of all alternative options considered and why discounted</p>	<p>Details of alternative options considered by the Applicant for the project are outlined in <b>Volume 1 Chapter 4: Routeing Process and Alternatives</b>.</p>
<p>A Pre-Application Consultation Report setting out the information provided to the public and procedures carried out, and how comments received from the public have been considered in formulating the final design of the proposal</p>	<p>A Pre-Application Consultation Report (PAC Report) has been prepared by the Applicant; this details the public consultation and engagement conducted by the Applicant in advance of the submission of the application and summarises how feedback has been considered in the finalisation of the design of the proposal.</p> <p>The PAC Report is included as a <b>Supporting Document</b> to the application.</p>
<p>A Planning Statement</p>	<p>A Planning Statement has been prepared by the Applicant; this details an assessment of the Proposed Development against the relevant provisions of the Development Plan.</p> <p>The Planning Statement is included as a <b>Supporting Document</b> to the application.</p>

<p>A schedule of mitigation measures</p>	<p>The EIA Report includes suggested mitigation within each technical assessment included as part of the overall report; this information is collated into a single Schedule of Mitigation at <b>Volume 2 Chapter 19 Schedule of Mitigation.</b></p>
<p>A suggested set of conditions based on ECU 'model' section 37 conditions</p>	<p>A set of model conditions requires to be agreed between ECU and the Planning Authority; it is expected that this set of conditions will become available during the determination period of the application.</p>
<p>A statement confirming the Applicant's view that that all necessary environmental information has been submitted with the application, and that it does not anticipate the need to propose any substantive changes to the development</p>	<p>The Applicant confirms, by virtue of this cover letter, that in its view all necessary environmental information has been submitted with the application.</p> <p>At the point of application substantive changes are not anticipated.</p>
<p>A statement confirming whether all the required wayleaves have been agreed with the owners and occupiers of the land proposed to be crossed by the line and whether it is proposed that any applications may be made to the Scottish Ministers under paragraph 6 of schedule 4 to the Electricity Act 1989, or that an order is proposed to be made under schedule 3 to the Act</p>	<p>The Applicant has engaged in discussions with all identified landowners and occupiers over whose land the Proposed Development would be required to cross.</p> <p>All voluntary wayleaves and tenant consents for 400kV infrastructure for the Proposed Development have now been issued and a number of agreements are in place.</p> <p>Following submission of the S37 application, 21-day statutory notices will be issued to any affected parties requiring consent who have not returned signed wayleaves or tenant consents. In the event agreement is not received from relevant parties within 21-days of notice issue, the Applicant will apply for a necessary wayleave/tenant consent under paragraph 6 of Schedule 4 of the Electricity Act 1989.</p> <p>For any third party-only access consents that are not received voluntarily, orders will be made under Schedule 3 of the Electricity Act 1989. It is the Applicant's intention to continue all voluntary discussions whilst any statutory processes take place.</p>

<p>All other supporting application documents including a cover letter which includes a description of all of the components of the development requiring consent and deemed planning permission (including the length of the proposed line and its nominal voltage), designed for inclusion in any consent decision</p>	<p>A list of all documentation submitted in support of this application is included as <b>Annex 1</b> to this cover letter. This includes further details of the following elements of the EIA Report:-</p> <ul style="list-style-type: none"> <li>- Volume 1 Non-Technical Summary</li> <li>- Volume 2 EIA Chapters</li> <li>- Volume 3 Figures</li> <li>- Volume 4 Visualisations</li> <li>- Volume 5 Appendices</li> </ul> <p>A list of <b>Supporting Documents</b> is also included in Annex 1.</p>
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The Applicant has separately submitted to the Energy Consents Unit an application fee in the sum of £343,800, based on a total length of 191km of new OHL proposed to be installed.

Should you have any immediate queries on the application please do not hesitate to get in touch.

Yours sincerely

*Tara Cowley*

**Tara Cowley MRTPI AssocRICS**

Senior Consents and Environment Manager – Central & North

**ANNEX 1 LIST OF DOCUMENTATION SUBMITTED WITH THIS APPLICATION FOR CONSENT****Location Plan****EIA Report****Glossary****List of Abbreviations****Volume 1 Non-Technical Summary****Volume 2 Main Report**

- Chapter 01 Introduction and Background
- Chapter 02 Established Need for the Proposed Development
- Chapter 03 Project Description
- Chapter 04 The Routeing Process and Alternatives
- Chapter 05 EIA Process and Methodology
- Chapter 06 Scope and Consultation
- Chapter 07 Landscape and Visual
- Chapter 08 Ecology and Nature Conservation
- Chapter 09 Ornithology
- Chapter 10 Water Environment
- Chapter 11 Geological Environment
- Chapter 12 Cultural Heritage
- Chapter 13 Forestry
- Chapter 14 Traffic and Transport
- Chapter 15 Noise and Vibration
- Chapter 16 Tourism and Recreation
- Chapter 17 Cumulative Assessment
- Chapter 18 Summary of Effects
- Chapter 19 Schedule of Mitigation

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- Figure 10.10 SEPA Flood Map Flood Zones
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- Viewpoint 7-89 Cnoc Croit
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- Appendix 6.1 Scoping Report
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  - o Strath Carnaig and Strath Fleet Moors SPA Appropriate Assessment
  - o Dornoch Firth and Loch Fleet SPA / Ramsar Appropriate Assessment
  - o Berriedale and Langwell Waters SAC Appropriate Assessment
  - o Caithness Lochs SPA / Ramsar Appropriate Assessment
  - o Cromarty Firth SPA / Ramsar Appropriate Assessment
  - o East Caithness Cliffs SPA Appropriate Assessment
  - o Glen Affric to Strathconon SPA Appropriate Assessment
  - o Inner Moray Firth SPA / Ramsar Appropriate Assessment

- Mound Alderwoods SAC and Dornoch Firth and Loch Fleet Ramsar Appropriate Assessment (non-bird features)
  - Novar SPA Appropriate Assessment
- Appendix 8.8 Biodiversity Net Gain (BNG) Report Part 1-9
- *Appendix 8.9 Freshwater Pearl Mussel Survey Report (Confidential data- not published)*
- Appendix 8.10 The Flow Country WHS Impact Assessment Report
- Appendix 9.1 Ornithology Survey and Assessment Methods
- Appendix 9.2 Ornithology Technical Report – Sections A and B
- Appendix 9.3 Ornithology Technical Report – Sections C, D and E
- *Appendix 9.4a Ornithology Confidential Report– Sections A and B (Confidential data- not published)*
- *Appendix 9.4b Ornithology Confidential Report– Sections C, D and E (Confidential data- not published)*
- *Appendix 9.4c Additional Sensitive Ornithological Information (Confidential data- not published)*
- Appendix 10.1 Schedule of Permanent Watercourse Crossings
- *Appendix 10.2 Drinking Water Protected Area and Private Water Supply Risk Assessment (Confidential data- not published)*
- Appendix 10.3 Groundwater Dependent Terrestrial Ecosystems (GWDTE) Assessment
- Appendix 10.4 Site Water Management and Pollution Prevention Plan
- Appendix 11.1 Peat Landslide and Hazard Risk Assessment
- Appendix 11.2 Outline Peat Management Plan
- Appendix 11.3 Peat Carbon Assessment
- Appendix 12.1 Scope and Method of Assessment
- Appendix 12.2 Archaeological and Historical Background
- Appendix 12.3 Baseline Tables
- Appendix 12.4 Gazetteer Tables
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- Appendix 12.6 Setting Assessment Tables
- Appendix 12.7 Mitigation Summary
- Appendix 12.8 Cultural Heritage Visualisations
- Appendix 12.9 Walkover Survey Report
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  - Appendix 13.1 – A: Banniskirk Wood
  - Appendix 13.1 – B: Toftingall Wood
  - Appendix 13.1 – C: Forse Estate
  - Appendix 13.1 – D: Smerral Parcel 104
  - Appendix 13.1 – E: Welbeck Estate
  - Appendix 13.1 – F: Glen Loth Parcel 1072
  - Appendix 13.1 – G: Kildonan Estate
  - Appendix 13.1 – H: Brora Parcel 363
  - Appendix 13.1 – I: Gordonbush Estate
  - Appendix 13.1 – J: Uppat Estate
  - Appendix 13.1 – K: Sutherland Estate
  - Appendix 13.1 – L: Eiden Wood
  - Appendix 13.1 – M: Cambusmore Estate
  - Appendix 13.1 – N: Achormlarie Wood
  - Appendix 13.1 – O: Achinduich Farm
  - Appendix 13.1 – P: Invershin Wood

- Appendix 13.1 – Q: Invershin
- Appendix 13.1 – R: Carbisdale and Inveroykel Woods
- Appendix 13.1 – S: Strathcarron
- Appendix 13.1 – T: Estate of Balnagown
- Appendix 13.1 – U: Dounie
- Appendix 13.1 – V: Strathrusdale
- Appendix 13.1 – W: Ardross and Kildermorie Woods
- Appendix 13.1 – X: Novar Estate
- Appendix 13.1 – Y: Swordale
- Appendix 13.1 – Z: South Clare Wood
- Appendix 13.1 – AA: Strath Sgitheach North
- Appendix 13.1 – AB: Torrachilty
- Appendix 13.1 – AC: Kinloch
- Appendix 13.1 – AD: Corriehallie, Fairburn and Cornhill
- Appendix 13.1 – AE: Auchmore Wood
- Appendix 13.1 – AF: Auchmore Farm
- Appendix 13.1 – AG: Breakachy Farm
- Appendix 13.1 – AH: Ardoch Wood
- Appendix 13.1 – AI: Main of Aigas
- Appendix 13.1 – AJ: Aigas Community Forest
- Appendix 13.1 – AK: Ruttle Wood
- Appendix 13.1 – AL: Small parcels North line
- Appendix 13.1 – AM: Small parcels South line
- Appendix 13.2 Native Woodland Management Plan
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- Appendix 14.1 Traffic Data
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- Appendix 14.3 Fear and Intimidation on and by Road Users Analysis
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- Appendix 15.3 Construction Activity
- Appendix 15.4 Construction Noise Impact Assessment
- Appendix 15.5 Operational Noise Impact Assessment
- Appendix 16.1 Draft Outdoor Access Management Plan

### **Supporting Documents**

- Aviation Risk Assessment Report
- Electric and Magnetic Field Study Report
- Planning Statement
- Pre-Application Consultation Report (PAC Report)
- Socio-Economic Report





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