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The Scottish Government
Energy Consents Unit

Scoping Opinion on behalf of Scottish Ministers under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

Spittal - Loch Buidhe - Beauly 400 kV OHL Connection

Scottish Hydro Electric Transmission Plc

5 February 2025

CONTENTS

1. Introduction

1.1 This scoping opinion is issued by the Scottish Government Energy Consents Unit on behalf of the Scottish Ministers to Scottish Hydro Electric Transmission Plc a company incorporated under the Companies Acts with company number SC189126 and having its registered office at Inveralmond House, 200 Dunkeld Road, Perth, PH1 3AQ ("the Company") in response to a request dated 25 October 2024 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Spittal - Loch Buidhe - Beauly 400 kV OHL Connection ("the proposed development"). The request was accompanied by a scoping report.

1.2 The proposed development would be located between the new Spittal (Banniskirk), Loch Buidhe (Carnaig) and Beauly (Fanellan) 400 kV substations.

1.3 The proposed Development consists of the construction of 85 km of a new 400 kV double circuit OHL on steel lattice towers between the proposed new Spittal (Banniskirk) and Loch Buidhe (Carnaig) 400 kV substations and 82 km of a new 400 kV double circuit OHL on steel lattice towers between the proposed new Loch Buidhe (Carnaig) and Beauly (Fanellan) 400 kV substations.

1.4 In addition to the overhead lines there will be ancillary infrastructure including:

- the formation of 'bellmouths' (i.e. junctions with curved entry and exit points) for connections to public roads;
- temporary and permanent construction access tracks and tower working areas;
- cable sealing end compounds, which are required at the interface between overhead lines and underground cables;
- construction compounds (where these are currently known);
- Borrow pits;
- Vegetation clearance and management;
- Other temporary measures required during construction;
- Underground cables if required in association with the Proposed Development.

1.5 The proposed development is solely within the planning authority of Highland Council.

2. Consultation

2.1 Following the scoping opinion request a list of consultees was agreed between Scottish Hydro Electric Transmission plc and the Energy Consents Unit. A consultation on the scoping report was undertaken by the Scottish Ministers and this commenced on 29 October 2024. The consultation closed on 20 November 2024**.** Extensions to this deadline were granted to The Highland Council, NatureScot, Historic Environment Scotland ("HES"), RSPB Scotland, Berriedale and Dunbeath Community Council, Contin Community Council and Golspie Community Council. The Scottish Ministers also requested responses from their internal advisors Transport Scotland and Scottish Forestry. Standing advice from Marine Directorate – Science Evidence Data and Digital (MD-SEDD) has been provided with requirements to complete a checklist prior to the submission of the application for consent under section 37 of the Electricity Act 1989. All consultation responses received, and the standing advice from MD-SEDD, are attached in ***ANNEX A Consultation responses*** and ***ANNEX B MD-SEDD Standing Advice.***

2.2 The purpose of the consultation was to obtain scoping advice from each consultee on environmental matters within their remit. Responses from consultees and advisors, including the standing advice from MD-SEDD, should be read in full for detailed requirements and for comprehensive guidance, advice and, where appropriate, templates for preparation of the Environmental Impact Assessment (EIA) report.

2.3 Unless stated to the contrary in this scoping opinion, Scottish Ministers expect the EIA report to include all matters raised in responses from the consultees and advisors.

2.4 The following organisations were consulted but did not provide a response:

Atkins, CAA, Crown Estate Scotland, Defence Infrastructure Organisation (MOD), Fisheries Management Scotland, Beauly DSFB, Brora DSFB, Caithness DSFB, Cromarty DSFB, Helmsdale DSFB, Kyle of Sutherland DSFB, Ness DSFB, Northern DSFB, Cromartry Firth Fisheries Trust, Flow Country Fisheries Trust, Ness & Beauly Fisheries Trust, John Muir Trust, Scottish Rights of Way and Access Society (Scotways), Scottish Water, Scottish Wildlife Trust, Scottish Wild land Group, Visit Scotland, National Grid, North of Scotland Archaeology Service, Highland Gliding Club, National Trust for Scotland, OFCOM, Motorola Solutions/Airwave, MBNL, Alness Community Council, Ardross Community Council, Beauly Community Council, Berriedale and Dunbeath Community Council, Bower Community Council, Caithness Community Council, Dingwall Community Council, Dornoch Community Council, Dunnet and Canisbay Community Council, Edderton Community Council, Garve Community Council, Halkirk Community Council, Helmsdale Community Council, Kiltarlity Community Council, Kirkhill and Bunchrew Community Council, Kilmorack Community Council, Kiltearn Community Council, Latheron, Lybster and Clyth Community Council, Maryburgh Community Council, Rogart Community Council, Sinclair Community Council, Strathnairn Community Council, Tannach and District Community Council, The Royal Burgh of Tain Community Council and Watten Community Council.

2.5 With regard to those consultees who did not respond, it is assumed that they have no comment to make on the scoping report, however each would be consulted again in the event that an application for Section 37 consent is submitted subsequent to this EIA scoping opinion.

2.6 The Scottish Ministers are satisfied that the requirements for consultation set out in Regulation 12(4) of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 have been met.

3. The Scoping Opinion

3.1 This scoping opinion has been adopted following consultation with Highland Council, within whose area the proposed development would be situated, NatureScot, the Scottish Environment Protection Agency and Historic Environment Scotland, all as statutory consultation bodies, and with other bodies which the Scottish Ministers consider likely to have an interest in the proposed development by reason of their specific environmental responsibilities or local and regional competencies.

3.2 The Scottish Ministers adopt this scoping opinion having taken into account the information provided by the applicant in its request dated 25 October 2024 in respect of the specific characteristics of the proposed development and responses received to the consultation undertaken. In providing this scoping opinion, the Scottish Ministers have had regard to current knowledge and methods of assessment; have taken into account the specific characteristics of the proposed development, the specific characteristics of that type of development and the environmental features likely to be affected.

3.3 A copy of this scoping opinion has been sent to Highland Council for publication on their website. It has also been published on the Scottish Government energy consents website at www.energyconsents.scot.

3.4 Scottish Ministers expect the EIA report which will accompany the application for the proposed development to consider in full all consultation responses attached in **Annex A and Annex B**.

3.5 Scottish Ministers are satisfied with the scope of the EIA set out within the scoping report.

3.6 In addition to the consultation responses, Ministers wish to provide comments with regards to the scope of the EIA report. The Company should note and address each matter.

3.7 Scottish Water did not provide information on whether there are any drinking water protected areas or Scottish Water assets on which the development could have any significant effect. It did not respond to the consultation. However, Scottish Ministers request that the company contacts Scottish Water (via EIA@scottishwater.co.uk) and makes further enquires to confirm whether there any Scottish Water assets which may be affected by the development, and includes details in the EIA report of any relevant mitigation measures to be provided.

3.8 Scottish Ministers request that the Company investigates the presence of any private water supplies which may be impacted by the development. The EIA report should include details of any supplies identified by this investigation, and if any supplies are identified, the Company should provide an assessment of the potential impacts, risks, and any mitigation which would be provided.

3.9 Marine Directorate – Science Evidence Data and Digital (MD-SEDD) provide generic scoping guidelines for onshore wind farm and overhead line development https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren) which outline how fish populations can be impacted during the construction, operation and decommissioning of a wind farm or overhead line development and informs developers as to what should be considered, in relation to freshwater and diadromous fish and fisheries, during the EIA process.

3.10 In addition to identifying the main watercourses and waterbodies within and downstream of the proposed development area, developers should identify and consider, at this early stage, any areas of Special Areas of Conservation where fish are a qualifying feature and proposed felling operations particularly in acid sensitive areas.

3.11 MD-SEDD also provide standing advice for overhead line development (which has been appended at Annex B) which outlines what information, relating to freshwater and diadromous fish and fisheries, is expected in the EIA report. Use of the checklist, provided in Annex 1 of the standing advice, should ensure that the EIA report contains the required information; the absence of such information may necessitate requesting additional information which may delay the process. Developers are required to submit the completed checklist in advance of their application submission.

3.12 Scottish Ministers consider that where there is a demonstrable requirement for peat landslide hazard and risk assessment (PLHRA), the assessment should be undertaken as part of the EIA process to provide Ministers with a clear understanding of whether the risks are acceptable and capable of being controlled by mitigation measures. The Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments (Second Edition), published at http://www.gov.scot/Publications/2017/04/8868, should be followed in the preparation of the EIA report, which should contain such an assessment and details of mitigation measures. Where a PLHRA is not required clear justification for not carrying out such a risk assessment is required.

3.13 The scoping report identified viewpoints will be contained within Volume 4 of the EIA Report. Any additional viewpoints that are to be agreed must be within the scope of the EIA and best practice approach/methodologies.

3.14 Habitat enhancement and mitigation measures should be detailed within the EIA, however the Scottish Ministers note that some details may not be available at time of application for certain compensatory enhancement schemes.

3.15 A draft or outline Habitat Management Plan and Species Protection Plan should be produced as part of the EIA, including any proposals for mitigation and enhancement in relation to important habitats and species. However, the Scottish Ministers note that some strategies for habitat restoration require third party agreement and so may not be available at the time of application.

3.16 The Scottish Ministers expect that all survey information will be up to date and include all areas of proposed construction but understand that some temporary areas may not yet be confirmed.

3.17 The noise assessment should be carried out in line with relevant legislation and standards as detailed in Chapter 13 of the scoping report.

3.18 The Scottish Ministers note Highlands and Islands Airport Limited state aviation lighting would be required for each tower. Scottish Ministers expect the Company to further engage with Highland and Islands Airport where required in order to mitigate any aviation safety concerns.

3.19 It is recommended by the Scottish Ministers that decisions on bird surveys – species, methodology, vantage points, viewsheds & duration - site specific & cumulative – should be made following discussion between the Company and NatureScot.

3.20 The Scottish Ministers note that borrow pits will be required to provide stone for the proposed Development. Where known, these borrow pits should be considered as part of the EIA process and included in the EIA Report detailing information regarding their location, size and nature. It should include the proposed depth of the excavation compared to the actual topography and water table, proposed drainage and settlement traps, turf and overburden removal and storage for reinstatement, and details of the proposed restoration profile. The impact of such facilities (including dust, blasting and impact on water) should be appraised as part of the overall impact of the working. Information should cover the requirements set out in '***PAN 50: Controlling the Environmental Effects of Surface Mineral Workings'***.

3.21 Regarding Cultural Heritage impacts, alongside the assessment on Category A listed buildings the Scottish Ministers would expect an assessment on significant Category B and C listed buildings.

3.22 Scottish Minsters note that with regards to compensatory planting, felling and re-stocking out-with the operational corridor, full details may not be known at the time of application as these take place on third party land and require landowner agreement.

3.23 The Scottish Ministers recommend that potential impacts of construction and completed development on safe and efficient operation of the railway are assessed. This includes conducting a Traffic Assessment and providing details of proposed construction and engineering works near the railway, as detailed in Network Rail's Scoping response

3.24 With regards to Socio-Economics, the Scottish Ministers note that Socio-Economics will be scoped out of the EIA, however the Company have confirmed it will provide a stand-alone Socio-Economics report. The Scottish Ministers would therefore recommend that in the stand-alone report the proposed Development should be appropriately and fully assessed on both a national and local scale, with consideration of the relevant Planning Authority Development Plans. The Scottish Ministers also request the submitted report estimates who may be affected by the proposed Development, in all or in part, which may require individual households to be identified, local communities or a wider socio-economic grouping such as tourists and tourist related businesses, recreational groups, attractions and events. The Socio Economic report should also include relevant economic information connected with the proposed Development, including the potential number of jobs, and economic activity associated with the procurement, construction, operation and decommissioning of the proposed Development. This should set out the impact on the regional and local economy, not just the national economy. Any mitigation proposed should also address impacts on the regional and local economy

3.25 Regarding cumulative assessment, it is recommended by the Scottish Ministers that in order to assess the full environmental impact of the Development, the Company include within the cumulative impact assessment, OHL and Substation infrastructure that is associated with SSEN Transmission ASTI projects.

3.26 The proposed Development must be designed in compliance with the ICNIRP Guidelines, and also the UK Government's Code of Practice entitled "Power Lines: Demonstrating compliance with EMF public exposure guidelines" which implements the policy to comply with the ICNIRP guidelines. The Company's approach to design also takes into account their statutory requirements in relation to the minimum height of overhead lines and ground clearance, and the position, insulation, and protection of OHLs to ensure compliance with the Electrical Safety, Quality and Continuity Regulations 2002. The Scottish Ministers note that a separate human health and population impact assessment chapter will not be presented in the EIAR, however welcome the Company's commitment to provide a separate report alongside the EIAR demonstrating the compliance of the electricity transmission systems for the proposed Development with the UK guidelines on EMF exposure.

3.27 The Scottish Ministers request that the company assess the impact of the proposed development on existing and/or planned infrastructure. In particular, the company should carry out the necessary assessments to confirm if any part of the proposed development is within the consultation zone of any of the following:-

- a licenced explosives site;
- gas (or any other) pipeline;
- existing overhead electric lines;
- underground cables;

- water pipes;
- telecommunications links.

3.28 Scottish Ministers request the company to assess if any flammable, toxic or explosive chemicals detailed in The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015 would be stored on site in quantities such that a Hazardous Substances Consent would be required under section 2 of the Planning (Hazardous Substances) (Scotland) Act 1997.

3.29 Ministers are aware that further engagement is required between parties regarding the refinement of the design of the proposed development regarding, among other things, surveys, management plans, peat, radio links, finalisation of viewpoints, cultural heritage, cumulative assessments and request that they are kept informed of relevant discussions.

4. Mitigation Measures

4.1 The Scottish Ministers are required to make a reasoned conclusion on the significant effects of the proposed development on the environment as identified in the environmental impact assessment. The mitigation measures suggested for any significant environmental impacts identified should be presented as a conclusion to each chapter. Applicants are also asked to provide a consolidated schedule of all mitigation measures proposed in the environmental assessment, provided in tabular form, where that mitigation is relied upon in relation to reported conclusions of likelihood or significance of impacts.

5. Conclusion

5.1 This scoping opinion is based on information contained in the applicant's written request for a scoping opinion and information available at the date of this scoping opinion. The adoption of this scoping opinion by the Scottish Ministers does not preclude the Scottish Ministers from requiring of the applicant information in connection with an EIA report submitted in connection with any application for section **37** consent for the proposed development.

5.2 This scoping opinion will not prevent the Scottish Ministers from seeking additional information at application stage, for example to include cumulative impacts of additional developments which enter the planning process after the date of this opinion.

5.3 Without prejudice to that generality, it is recommended that advice regarding the requirement for an additional scoping opinion be sought from Scottish Ministers in the event that no application has been submitted within 12 months of the date of this opinion.

5.4 It is acknowledged that the environmental impact assessment process is iterative and should inform the final layout and design of proposed developments. Scottish Ministers note that further engagement between relevant parties in relation to the refinement of the design of this proposed development will be required, and would request that they are kept informed of on-going discussions in relation to this.

5.5 Applicants are encouraged to engage with officials at the Scottish Government's Energy Consents Unit at the pre-application stage and before proposals reach design freeze.

5.6 When finalising the EIA report, applicants are asked to provide a summary in tabular form of where within the EIA report each of the specific matters raised in this scoping opinion has been addressed.

5.7 It should be noted that to facilitate uploading to the Energy Consents portal, the EIA report and its associated documentation should be divided into appropriately named separate files of sizes no more than 10 megabytes (MB).

Lee Stirrat

Energy Consents Unit
5 February 2025

ANNEX A

Consultation

List of consultees who provided a response.

- Highland Council
- Historic Environment Scotland
- Scottish Environmental Protection Agency
- NatureScot (previously “SNH)
- Arqiva (BBC and STV)
- British Horse Society
- British Telecommunications plc
- Kyle of Sutherland Fisheries Trust
- Health and Safety Executive
- Highlands and Islands Airports Limited
- Joint Radio Company Limited
- Mountaineering Scotland
- National Gas Transmission
- NATS Safeguarding
- Network Rail
- RSPB Scotland
- Scottish Gas Networks
- The Met Office
- Woodland Trust
- Ardgay and District Community Council
- Brora Community Council
- Contin Community Council
- Creich Community Council
- Golspie Community Council
- Marybank, Scatwell, Strathconon Community Council
- Strathpeffer Community Council

Internal advice from areas of the Scottish Government was provided by officials from Transport Scotland, Scottish Forestry and Marine Directorate (in the form of standing advice from Marine Directorate – Science Evidence Data and Digital (MD-SEDD or bespoke advice from Marine Directorate – Science Evidence Data and Digital (MD-SEDD).

See Section 2.4 above for a list of organisations that were consulted but did not provide a response.

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Please ask for: Ikram Ullah
E-mail: ikram.Ullah@highland.gov.uk
Our Ref: 24/04588/SCOP
ECU Ref: ECU00006008
Date: 18 December 2024

By email only to: Lee.Stirrat@gov.scot
cc. econsents_admin@gov.scot

Dear Lee

THC PLANNING REFERENCE: 24/04588/SCOP

DEVELOPMENT: EIA SCOPING REQUEST FOR THE CONSTRUCTION AND OPERATION OF A 400 KILOVOLT (KV) OVERHEAD TRANSMISSION LINE (OHL) SUPPORTED BY STEEL LATTICE TOWERS OVER A DISTANCE OF APPROXIMATELY 167 KM, BETWEEN PROPOSED SUBSTATIONS AT SPITTAL (BANNISKIRK), LOCH BUIDHE (CARNAIG) AND BEAULY (FANELLAN), RATIONALISATION AND CROSSING OF EXISTING TRANSMISSION INFRASTRUCTURE.

LOCATION: LAND 2430M SW OF LOCH BUIDHE, BONAR BRIDGE

Thank you for consulting The Highland Council (THC) on the Environmental Impact Assessment (EIA) Scoping Request for the above project. We received the consultation on 29 October 2024 by email and we are grateful for the extension of time to make comments.

Our view on the scope of the assessment may be subject to change on a number of topics within the EIAR if the scale of development, in terms of the number and height of turbines, changes. This response remains valid for 12 months. Should an application not be forthcoming within this period it is advised that you obtain an updated response.

Whilst highly unlikely, this application may reduce in scale to a level which would be considered as an application under the Town and Country Planning (Scotland) Act 1997 (As Amended). If this is the case, we would require a revised scoping response under the relevant regulations.

We trust that this helps inform the scope of the EIA and is helpful to the applicant when formalising the forthcoming application.

Yours sincerely,

Ikram Ullah

Graduate Planner

Strategic Projects Team

THC SCOPING RESPONSE TO ENERGY CONSENTS UNIT

APPLICANT:	**SCOTTISH HYDRO ELECTRIC TRANSMISSION PLC**
PROJECT:	**EIA SCOPING REQUEST FOR THE CONSTRUCTION AND OPERATION OF A 400 KILOVOLT (KV) OVERHEAD TRANSMISSION LINE (OHL) SUPPORTED BY STEEL LATTICE TOWERS OVER A DISTANCE OF APPROXIMATELY 167 KM, BETWEEN PROPOSED SUBSTATIONS AT SPITTAL (BANNISKIRK), LOCH BUIDHE (CARNAIG) AND BEAULY (FANELLAN), RATIONALISATION AND CROSSING OF EXISTING TRANSMISSION INFRASTRUCTURE.**
PROJECT ADDRESS:	**LAND 2430M SW OF LOCH BUIDHE, BONAR BRIDGE**
OUR / ECU REFERENCES	**24/04588/SCOP / ECU00006008**

This response is given without prejudice to the Planning Authority's right to request additional information in connection with any statement, whether Environmental Impact Assessment Report (EIAR) or not, submitted in support of any future application. These views are also given without prejudice to the future consideration of any application received by The Highland Council (THC).

THC request that any EIAR submitted in support of an application for the above development take the comments highlighted below into account; many of which are already acknowledged within the Scoping Report. In particular, the elements of this report as highlighted in parts 3, 4, and 5 should be presented as three distinct elements.

Responses to the internal consultation undertaken are attached. Should any further responses be received from internal consultees, these will be forwarded on in due course.

1.0 Description of the Development

1.1 The description of development for the EIAR must include:

- a description of the physical characteristics of the whole development and the full land-use requirements during the operational, construction and decommissioning phases, including details of any redundant overhead line infrastructure to be removed. Irrespective of the application site boundary, or works to be consented under different regulatory regimes, or authorised under permitted development

rights, these must include the totality of the development, including but not limited to, project critical infrastructure such as road improvement works, connections, woodland, habitat and water management, etc. A plan with eight figure OS Grid co-ordinates for all main elements of the proposal should be supplied;

- a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;
- the risk of accidents, having regard in particular to substances or technologies used;
- an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the development;
- the estimated cumulative impact of the project with other consented or operation development, including those to be connected and served by the proposed development, as well as the upgrading of connecting substation infrastructure irrespective of these projects undergoing a separate consenting regime; and
- a detailed schedule of mitigation.

Limits of Deviation

1.2 The Scoping Report Section 2.5 suggests that the proposed development would incorporate a 100m Limit of Deviation (LOD) either side of the preferred alignment to allow for refinement in the horizonal alignment of the line, but also its vertical height. The intended vertical LOD limit is unspecified at this stage, however, THC strongly encourage that this is designed to be no greater that 10% higher for any particular proposed OHL tower to ensure that the EIAR undertaken remains accurate and the proposal can be adequately assessed. The application must therefore make clear the existing and proposed site levels in mAOD for all proposed towers, with this to be detailed on EIA drawings using a detailed map based of 1:25,000 or 1:50,000.

1.3 Similarly, the proposed 100m horizontal LOD is also expected to be refined downwards for each section of the line, as this is a particularly wide corridor to assess, and again, it is expected that in most instances this can be significantly reduced. THC therefore expect the EIA and application to specify each tower position, design type, and height, with a commitment being made that it would not be micro-sited beyond 50m on the horizontal axis. A specific micrositing mitigation table for each numbered tower is expected to be required, specifying where this suggested 50m limit needs to be refined downward to respect nearby environmental / receptor constraints. Similarly, whilst reporting the average height of each tower (57m) is a helpful indication, details of each specified tower height will be required, along with the connecting cable clearance heights for road / watercourse crossing.

1.4 In refining the LOD, the wayleave corridor required should also be considered and specified within the project's description of development. Owing to the design height of the towers, scope should be included for planting proposals within this corridor to reduce the extent of

potential landscape and visual impacts, but also to maximise habitat enhancement and compensatory planting.

Ancillary Development

1.5 Alongside the development of the OHL itself, the applicant are strongly encouraged to incorporate all ancillary works within the S37 application, with this to include any works which would benefit from permitted development rights and other development which would otherwise require a subsequent permission under the Town and Country Planning Act, such as for new junctions and temporary remote compounds / laydown areas, and any borrow pits, as well as works associated with the rationalisation of transmission infrastructure such as the removal of existing overhead lines.

2.0 Alternatives

2.1 A statement is required which outlines the main development alternatives studied by the applicant and an indication of the main reasons for the final project choice. This is expected to highlight the following:

- the range of technologies that may have been considered;
- locational criteria and economic parameters used in site selection;
- options for access; including construction laydown areas and staff / contractors accommodation compounds;
- design and locational options for all elements of the proposed development, including full consideration of any sections of the line which could be undergrounded or via subsea cable;
- consideration given to minimising temporary or permanent access tracks, with scope for the delivery of materials by helicopter for select sections of the line where access is challenging without giving rise to adverse landscape and visual effects, such as within designated landscape areas including regionally important Special Landscape Areas; and
- the environmental effects of the different options examined. Such assessment should also highlight sustainable development attributes including for example assessment of carbon emissions. A full and detailed evaluation of all options considered, rather than a summary, is required.

3.0 Environmental Elements Affected

3.1 The EIAR must provide a description of the aspects of the environment likely to be **significantly** affected by the development. The following paragraph of this response highlights some principal considerations. There is extensive transmission infrastructure in the wider area, and you are encouraged to use your understanding of these assets in assessing the environmental baseline, the effects of your development and the potential

for cumulative effects to arise. The EIAR should fully utilise this understanding to ensure that information provided is relevant and robustly grounded.

Land Use and Policy

3.2 The current Development Plan comprises:

- Fourth National Planning Framework (NPF4) adopted in 2023.
- Highland-wide Local Development Plan (HwLDP) adopted 2012.
- Caithness and Sutherland Local Development Plan (CaSPlan).
- Inner Moray Firth Local Development Plan 2 (IMFLDP2) adopted June 2024.
- Associated Developer Contribution Supplementary Guidance.

The EIAR should recognise the existing land uses affected by the development having particular regard for THC's Development Plan inclusive of all statutorily adopted Supplementary Guidance (SG). This is not instead of but in addition to the expectation of receiving a Planning Statement in support of the application itself. The purpose of this EIA chapter is to highlight relevant policies not to assess the compatibility of the proposal with policy. The scope of the EIA should, however, address all the relevant issues covered within NPF4, HwLDP, Caithness and Sutherland Local Development Plan (CaSPlan), Inner Moray Firth Local Development Plan 2 (IMFLPD2) and Highland Council Supplementary Guidance. The Council's Scoping response to this proposal along with our response to the request for major pre-application advice, which highlights the most salient parts of NPF4 and the Local Development Plan and associated Supplementary Guidance documents. CaSPlan focuses on settlement strategy and site allocations. IMFLDP2 does not contain any site-specific policies relevant to this proposal its general policies provide more detail than the equivalent ones in NPF4. In particular, Policy 2 Nature Protection, Restoration and Enhancement which provides the hook for the Council's Biodiversity Enhancement Planning Guidance and Policy 9 Delivering Development and Infrastructure set out more detail. IMFLDP2 also establishes boundaries (including any refinements) of the Special Landscape Areas (SLAs) across the plan area. The SLA citations webpage summarise key characteristics, qualities, sensitivities, and measures for enhancement and must be used to assess the potential impacts of the proposed development.

3.3 The Highland Council Development planning team acknowledged that the Scoping Report planning policy section (section 5) is not comprehensive and suggested that future documentation list, interpret, and apply all relevant NPF4 policies, specifically policies 1, 2, 3, 4, 5, 6, 7, 11, 13, 14, 18, 20, 22, 23, and 25. Section 5 (Local Planning Policy) solely refers to the Highland Wide Local Development Plan 2012; nevertheless, the Caithness and Sutherland LPD and Inner Moray Firth LPD 2 should be included. The IMFLDP2 contains general policies which provide more detail and/or clearer policy than NPF4 on certain matters such as biodiversity, greenspace, green networks and infrastructure first,

because they are later in date these will prevail over those in NPF4 in the case of alleged or actual incompatibility.

3.4 The Council has recently commenced the preparation of a new-style Highland Local Development Plan (HLDP), with the intention to undertake the evidence-gathering stage of the new LDP throughout 2023, with the tentative programme including an Evidence Report in 2024 and subsequent Gate Check, with Proposed Plan stage in 2025. Once adopted this modern style HLDP will supersede and replace HwLDP and the Council 'area' LDP. The programme of work includes the review of the coverage and content of its current suite of Supplementary Guidance, to establish which aspects should be covered within the new Local Development Plan itself, which aspects should be covered within non-statutory planning guidance and any aspects no longer required. Applicants are advised to monitor the Council's annual Development Plans Newsletter, as this provides the most up to date timetable for this work. The latest version was approved by the Council's Economy and Infrastructure Committee on the 2 February 2023 (Item 15) and is available on the Council Development Plans webpage.

3.5 Developer Contributions, Community Benefit and Community Wealth Building will all need to be considered as the scheme develops. Benefits to rural areas, such as provision of jobs and opportunities to restore and protect natural habitats, are also highlighted in Scottish Government Policy documents. Developer Contributions may be required towards transport (including active travel), green infrastructure, water and waste and public art / realm, in compliance with NPF4 Policy 18 (Infrastructure first), HwLDP Policy 31 (Developer Contributions) and Developer Contributions Supplementary Guidance (2018).

3.6 Your attention is also drawn to the Council's separate remit to promote community benefit which is distinct and separate from planning. The Council's position with regard community benefits has recently been updated with the approval of a new 'Social Values Charter for Renewables Investment' at its meeting on 27 June 2024, with the report available at the following link:

https://www.highland.gov.uk/meetings/meeting/5003/highland_council

The approved charter sets out The Highland Council's expectations from developers wishing to invest in renewables in the Highland area and what the Highland partnership – public, private, and community – will do to support and enable this contribution, namely:

- embed an approach to community wealth building into Highland;
- maximise economic benefits from our natural environment and resources;
- engage and involve relevant stakeholders to understand how we can continually improve our impact; and,
- unlock economic opportunities for the area.

3.7 Community Wealth Building is intended to encourage, promote, and facilitate a new strategic approach to economic development as set out in NPF4 Policy 25. This Policy indicates examples of what contributions by development proposals to community wealth building could include: improving community resilience and reducing inequalities; increasing spending within communities; ensuring the use of local supply chains and services; local job creation; supporting community led proposals, including creation of new local firms and enabling community led ownership of buildings and assets. However, that is not an exhaustive list. The document contains contacts for further discussion on this matter and we would encourage the developer to engage early in the process.

Sustainability

3.8 The Council's Sustainable Design Guide SG provides advice and guidance on a range of sustainability topics, including design, building materials and minimising environmental impacts of development. A Sustainable Design Statement is required. The Council also needs to fully understand the detailed design parameters of the infrastructure proposed, such as scale and appearance, and it would be beneficial to have information to explain the specific electricity network benefits and capacity. In this regard, the EIA needs to consider the impact of the installation, the electricity generating capacity the infrastructure is intended to serve, the planned generating source (including an estimate breakdown of onshore and offshore), and the prospective long-term use of the energy transmitted. The application should include a statement on how the development is likely to contribute to achieving net zero, but also Scottish Government Energy Efficient Scotland roadmap and provide the Highlands and UK with secure, and clean, electricity supplies. It should also be made clear if any part of the project would be capable of being delivered in isolation, or that it has been designed to be served by a suite of grid infrastructure upgrades; being prescriptive about which associated connections or other substation upgrades would be integral to the decision to progress with the development.

Landscape and Visual

3.9 The Council expects the EIAR to consider the landscape and visual impact of the development. The Council makes a distinction between the two. While not mutually exclusive, these elements require separate assessment and therefore presentation of visual material in different ways. It is the Council's position that it is not possible to use panoramic images for the purposes of visual impact assessment. The Council, while not precluding the use of panoramic images, require single frame images with different focal lengths taken with a 35mm format full frame sensor camera – not an 'equivalent.' The focal lengths required are 50mm and 75mm. The former gives an indication of field of view and the latter best represents the scale and distance in the landscape, i.e., a more realistic impression of what we see from the viewpoint. These images should form part of the EIAR

and not be separate from it. Photomontages should follow the Council's Visualisation Standards and are subject an independent verification check upon receipt:

https://www.highland.gov.uk/downloads/file/12880/visualisation_standards_for_wind_energy_developments

The following are minimum requirements for the printed copies.

- For hard copies - Visuals should be presented in their own bound version of the document.
- The first image should clearly set out the location of the viewpoint and directions on how to get there (as per figure 2 of the Standards).
- The second page should include a photomontage presented at A3 with a 50mm field of view for landscape assessment (as per figure 6 of the Standards).
- The third page should include a baseline photograph at 50mm field of view and wirelines at the same scale as per Figure 7 or Figure 8 of the Standards).
- The fourth page should include a 50mm image photomontage (as per figure 10 of the Standards).
- The fifth page should include a 75mm image photomontage for assessment of visual impacts (as per figure 12 of the Standards).

The document requires to be printed single sided with a high-quality laser printer or equivalent on photo quality paper.

3.10 Assessments should cover impacts of all elements of the development, including any connecting substation buildings / infrastructure, any likely additional, removed or re-located overhead line infrastructure, any security fencing, any tree felling, any lighting and any associated track / road improvement works required both on site, and potentially off site including bridge upgrades / replacements. Separate volumes of visualisations should be prepared to both Highland Council Standards and NatureScot guidance. These should be provided in hard copy. It would be beneficial for THC's volume to be provided in a **A3 leaver arch folder** for ease of use. We are happy to provide advice on this matter going forward.

3.11 All elements of a development are important to consider within any EIAR and the assessment must include the expected landscape and visual impact of all structures, access roads, temporary cranes / compounds, laydown areas, soil and overturned stores, fencing etc. All elements of the proposal are to be rendered into photomontages.

3.12 The finalised list of Viewpoints (VP) and wireframes for the assessment of effects of a proposed development must be agreed in advance of preparation of any visuals with THC and NatureScot. THC's Landscape and Planning Officers have not provided any comments at the scoping stage.

3.13 We acknowledge that there will be some micrositing of the viewpoints to avoid intervening screening of vegetation boundary treatments etc. We would recommend that the photographer has in their mind whether the VP is representative or specific and also who the receptors are when they are taking the photos it would be helpful. We have also found that if the photographer has a 3D model on a laptop when they go out on site it helps the orientation of the photography. Care should also be taken when undertaking the baseline photography in appropriate weather conditions, and during months of the year when visibility is not excessively obscured by intervening vegetation / diecious trees being full leaf to ensure that the worst case scenario is accurately captured in the LVIA. Production of Zone of Theoretical Visibility (ZTV) and route analysis considering the nature and type of intervening trees, woodland, with further consideration given to woodland management plans and committed felling and planting cycles is also required.

3.14 The detailed location of viewpoints will be informed by site survey, mapping and predicted ZTVs and should be selected in order to show the proposal from as an open viewpoint as possible. Failure to do this may result in abortive work, requests for additional visual material and delays in processing applications/consultation responses. Community Council's may request additional viewpoints, and it would be recommended that any pre-application discussions with the local community, and associated reporting on consultation undertaken, takes this into account. Specifically, Brora Community Council have sought to be consulted on the local Viewpoint selection when the final OHL application route is decided prior to work on the LVIA, with consideration given to the suitability of including assessment of limited bespoke longer distance views from receptors at Brora, Embo and Dornoch.

3.15 The purpose of the selected and agreed viewpoints shall be clearly identified and stated in the supporting information. For example, it should be clear that the VP has been chosen for landscape assessment, or visual impact assessment, or cumulative assessment, or sequential assessment, or to show a representative view, or for assessment of impact on designated sites, communities, or individual properties. However, it is important for assessors to remember that Visual Effects are defined by GLVIA3 not just as effects on views, but as 'Effects on specific views and on the general amenity experienced by people'.

3.16 The LVIA Chapter of the EIAR should also clearly set out the methodology including:

- Definitions of each point on the scale of magnitude of change which is used by the applicant in reaching a conclusion on the magnitude of change.
- Definitions of each point on the scale of sensitivity of receptor which is used by the applicant in reaching a conclusion on the sensitivity of receptor.
- The threshold to which the applicant considers a significant effect is reached. For the avoidance of doubt the Council consider that Moderate impacts can be significant, and it is recommended that the EIAR takes this approach as well.

A clear matrix approach supported by descriptive text setting out how you have reached your conclusion of effect on landscape character, designated landscapes, visual receptors, and residential amenity. The LVIA should contain an assessment of singular and cumulative effects for each of the representative **viewpoints** (as opposed to grouped receptors) following this methodology. This approach is important because the logic of the applicant's assessment must be clearly and readily understood. For key routes where there is shown to be prolonged sections of theoretical visibility towards the site, these should be subject of sequential route analysis, with provision of baseline photography at regular intervals, together with wireframes of the proposed development.

3.17 When assessing the impact on recreational routes please ensure that all core paths, rights of way, national cycle network, and long-distance trails are assessed. It should be noted that these routes are used by a range of receptors. An assessment of the impacts of the proposal on landscape should assess the impacts on any landscapes designated at a national and local scale.

3.18 Separate to the production of the EIAR and LVIA, owing to the development being of national scale, a 3D flythrough of the project covering key routes and receptors is also required for presentation to committee, with the scope and content of this to be developer with Council officers. As with previous SSEN projects this material is expected to demonstrate the short term and longer-term impacts of the development post establishment of intervening proposed landscaping. Additionally, for select viewpoints there may be scope to utilise The Highland Council's Panoramic Viewer to best capture the horizontal nature of the development. This can be considered at the application stage ahead of committee.

Ecology, Habitats and Ornithology

3.19 An EIAR chapter covering ecology, habitats and ornithology will be required. This should provide a baseline survey of the bird and animals (mammals, reptiles, amphibians, etc.) interest on site. It needs to be categorically established what species are present on the site, and where, before a future application is submitted. Further the EIAR should provide an account of the habitats present on the proposed development site. It should identify rare and threatened habitats, and those protected by European or UK legislation, or identified in national or local Biodiversity Action Plans. Habitat enhancement and mitigation measures should be detailed. Details of any habitat enhancement programmes (such as native-tree planting, stock exclusion, etc.) for the proposed site should be provided. It is expected that the EIAR will address whether or not the development could assist or impede delivery of elements of relevant Biodiversity Action Plans.

3.20 An ecological impact assessment for the site and should be considered alongside the development EIAR. This should follow the CIEEM guidance on ecological impact assessment and be proportionate to the scale of development. It should cover the ecological resources of the site including protected species within the Highlands Nature Biodiversity Action Plan. It is expected that the proposal shall **demonstrate** compliance

with NPF4 Policy 3b and that using the DEFRA metric, a minimum of 10% of biodiversity enhancement overall, can be brought about.

3.21 The Highland Council's Ecology Officer is pleased with the concerns identified in the EIA Scoping Report and agrees with the inclusion of international and nationally protected species. The EIAR should cover Highland Nature Biodiversity Action Plan species and habitats, as well as SBL species. The THC's ecology officer stated that the survey buffer for protected species should only include protected species and should not be limited to 30m. All surveys should adhere to the relevant NatureScot Standing Advice https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-standing-advice-and-guidance-documents. Any relevant Species Protection Plans (SPPs) should be made available as part of the EIA report. It is expected that all survey information submitted with the application will be up to date (as per NatureScot professional guidance) and will include all areas of proposed construction, including areas considered temporary (e.g. site compounds).

3.22 NatureScot will lead on ecology / ornithology designations, priority peatland and protected species. However, the ecology officer agrees with the ornithological evaluations conducted and expects to see all relevant data given within the EIAR, including a flight map and a comprehensive collision assessment. The EIAR should also include any cumulative assessments for the proposal, taking into consideration any bigger projects that may affect the same ecological receptors. The EIAR should address the likely impacts on the nature conservation interests of all the designated sites in the vicinity of the proposed development. It should provide proposals for any mitigation that is required to avoid these impacts or to reduce them to a level where they are not significant.

3.23 The EIAR needs to address the aquatic interests within local watercourses, including downstream interests that may be affected by the development, for example increases in silt and sediment loads resulting from construction works; pollution risk / incidents during construction; obstruction to upstream and downstream migration both during and after construction; disturbance of spawning beds / timing of works; and other drainage issues. The EIAR should evidence consultation input from the local fishery board(s) where relevant. The EIAR should include a map and assessment of impacts upon Groundwater Dependent Terrestrial Ecosystems (GWDTE) and buffers, these habitats are easily damaged by insensitive drainage.

3.24 If wild deer are present or will use the site an assessment of the potential impact on deer will be required. This should address deer welfare, habitats, and other interests.

3.25 NPF4’s commitment to deliver positive effects for biodiversity through development. Policy 3 states that, ‘Development proposals for national, major and of EIA development should only be supported where it can be demonstrated that the proposal will conserve and enhance biodiversity, including nature networks within and adjacent to the site, so that they are in a demonstrably better state than without intervention, including through future management.’ A draft or outline Habitat Management Plan (HMP) and Species Protection

Plan (SPP) should be produced as part of the EIA, including any proposals for mitigation and enhancement in relation to important habitats and species. Any compensatory planting plans should be carefully considered and included in the HMP. It is noted that the application will be supported by a Biodiversity Net Gain Metric, this is supported, and it is expected that any proposed enhancement to comply with NPF4 policy 3 and Highland Council 'Biodiversity Enhancement Planning Guidance' May 2024. The completed metric and any associated information used to populate the metric should be provided with the application.

3.26 SSE has a target for all projects gaining consent to achieve a minimum 10% net gain for biodiversity. NatureScot's Developing with Nature guidance has been prepared, in discussion with Scottish Government, to support major development applications. It sets out a number of common measures to enhance biodiversity. For national, major and EIA developments, more detailed assessment and more ambitious measures are likely to be required. The applicant should explore and identify opportunities for biodiversity enhancement as early as possible, including through discussion with key stakeholders. Within the EIA report, information on predicted losses, proposed compensation and delivery of additional positive effects should be clearly summarised. The information must be sufficient to allow the consenting authority and relevant stakeholders to see clearly how effects will be addressed, and compensation and enhancement delivered. Developers may wish to consider the simple template at Annex C of the Developing with Nature guidance: https://www.nature.scot/doc/developing-nature-guidance#annex-c

Geology, Hydrology and Hydrogeology, Soils and Contaminated Land

3.27 The EIAR needs to address the nature of the hydrology and hydrogeology of the site, and of the potential impacts on water courses, water supplies including private supplies, water quality, water quantity and on aquatic flora and fauna. Impacts on watercourses, groundwater, other water features and sensitive receptors, such as water supplies, need to be assessed. Measures to prevent erosion, sedimentation or discolouration will be required, along with monitoring proposals and contingency plans. Assessment will need to recognise periods of high rainfall which will impact on any calculations of run-off, high flow in watercourses and hydrogeological matters. You are strongly advised at an early stage to consult SEPA as the regulatory body responsible for the implementation of the Controlled Activities (Scotland) Regulations 2005 (CAR), to identify license requirements and the extent of the information required by SEPA.

3.28 The EIAR should include a full assessment on the impact of the development on peat, this should be in line with NPF4, Policy 5. The assessment of the impact on peat must include peat probing for all areas where development is proposed. The Council are of the view this should include probing not just at the point of infrastructure but also covering the areas of ground which would be subject to micrositing limits / limits of horizontal deviation. SEPA are best placed to provide detailed advice on methodology for peat probing and the peat assessment.

3.29 The EIAR should fully describe the likely significant effects of the development on the local geology including aspects such as borrow pits, earthworks, site restoration and the soil generally including direct effects and any indirect. Proposals should demonstrate construction practices that help to minimise the use of raw materials and maximise the use of secondary aggregates and recycled or renewable materials. Where borrow pits are proposed the EIAR should include information regarding the location, size and nature of these borrow pits including information on the depth of the borrow pit floor and the borrow pit final reinstated profile.

3.30 If culverting should be proposed, then it should be noted that SEPA has a general presumption against modification, diversion or culverting of watercourses. Schemes should be designed to avoid crossing watercourses, and to bridge watercourses where this cannot be avoided. The EIAR will be expected to identify all water crossings and include a systematic table of watercourse crossings or channelising, with detailed justification for any such elements and design to minimise impact. The table should be accompanied by photography of each watercourse affected and include dimensions of the watercourse. It may be useful for the applicant to demonstrate choice of watercourse crossing by means of a decision tree, considering factors including catchment size (resultant flows), natural habitat and environmental concerns. Further guidance on the design and implementation of crossings can be found on SEPA's Construction of River Crossings Good Practice Guide.

3.31 SEPA's consultation response refers the applicant to consider to their standing advice for major developments and notes SEPA's general agreement with the Scope of the EIA in relation to their interests. SEPA's further advice in relation geomorphic risk layer mapping, and flood risk mapping data should be reviewed by the applicant.

3.32 The Council's Flood Risk Management Team have confirmed that they have no further comments to make at this stage. It is anticipated that detailed comments will be provided on impacts on the water environment, in particular on buffers to water courses, by SEPA.

Private Water Supplies

3.33 The need for, and information on, abstractions of water supplies for concrete works or other operations should also be identified. The EIAR should identify whether a public or private source is to be utilised. If a private source is to be utilised, full details on the source and details of abstraction need to be provided.

3.34 The applicant will be required to carry out an investigation to identify any private water supplies, including pipework, which may be adversely affected by the development and to submit details of the measures proposed to prevent contamination or physical disruption. Highland Council has some information on known supplies, but it is not definitive. An on-site survey will be required. It is noted that the applicant intends to undertake consultation with supply owners and site visits where required.

3.35 The EIA will require to include report which details of the measures proposed to prevent contamination or physical disruption of any water supplies. The report should include details of any monitoring prior to, during and following construction. It should also include proposals for contingency measures in the event of an incident.

Contaminated Land

3.36 Based on the details provided, THC's Contaminated Land officer has made a general comment, highlighting some of the potential concerns along various route options and are not a complete listing of all sites with potential for contamination. A detail response will be provided once site layout plan with red line boundary of the final route is determined.

3.37 **Option A**

There are various small disused pits and quarries along this route, in particular around the Ousdale area and West Helmsdale. Also, the larger Banniskirk Quarry is located at NGR 316797 956806. Former pits and quarries could have been infilled with degradable/potentially contaminative materials which can be an issue in terms of ground gas generation and harm to health from contaminants present. There is a site of former military use at Crackaig, which could have potential issues such as asbestos or fuel storage. There is also a sheep wash at Crackaig, and there are potentially other sheep wash locations along the route which cross into the boundary of the application. Contaminants associated with sheep wash can be persistent within soils and groundwater.

3.38 **Option B**

No potential issues were noted along Route B other than the presence of the existing Electricity Substation to the south of Loch Buidhe at the southern end of this route.

3.39 **Option C**

No potential issues were identified along Route C.

3.40 **Option D**

There are small quarries within the Glen Glass area which may lie within the route boundary, and which may have been infilled with waste materials. There is a former Timber Yard/Sawmill at Achterneed, north of Strathpeffer where timber treatments could have taken place. Also noted are the existing Power Stations in the Strath Conon/ Loch Achonachie area.

3.41 **Option E**

Torr Achilty Power Station is digitised at the head of Loch Achonachie. No other significant sites of concern are identified along this route.

3.42 A further check of all routes once finalised should be undertaken on a more detailed scale to be able to provide a definitive list of all sites with a potential for contamination issues

within the red line site boundary. Further comment could then be made as to what further actions are considered necessary in relation to the proposed development and infrastructure planned within that area.

Noise, Vibration and Dust

Construction Noise/vibration

3.43 In relation to construction noise, planning conditions are not usually used to control the impact of construction noise as similar powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974. However, as proposed development will include significant construction works and sections of the OHL are in close proximity to noise sensitive properties, with one section being only 100 metres, there is potential for significant disturbance from construction noise.

3.44 It is understood that the typical construction activities and work methods would be set out in the EIA Report. The principal contractor will undertake a Construction Environmental Management Plan (CEMP) which will define specific methods for environmental survey, monitoring and management throughout construction. However, given the given the size and nature of the construction of this project, it is also essential that the community liaison arrangements are put in place throughout the duration of the project. The community liaison should keep residents informed of the progress of any sections of the OHL are in close proximity to noise sensitive properties and which may impact on them and allow for any complaints to be addressed fairly and expeditiously.

3.45 The applicant will also need to ensure that the EIA contains a construction noise/vibration assessment. The assessment should be carried out by a competent person, in accordance with BS 5228-1:2009 “Code of practice for noise and vibration control on construction and open sites” It should include:

1) A description of construction activities with reference to noise/vibration generating plant, equipment and construction traffic.

2) A detailed plan showing the location of noise/vibration sources, noise sensitive premises and any survey measurement locations.

3) A description of any mitigation methods that will be employed and the predicted effect of said methods on noise levels. Mitigation measures must include detail of the construction working hours. It should be noted that the Highland Council’s recommended construction working hours are 8am to 7pm Monday to Friday and 8am to 1pm on Saturdays with no work on Sundays. Any working undertake out with those hours would require written approval from the Planning Authority.

4) A prediction of noise levels resultant at the curtilage of noise sensitive receptors.

5) An assessment of the predicted noise levels in comparison with relevant standards.

3.46 The noise assessment will also require including an assessment of the impact of noise from construction traffic. If piling is required in locations close to residential properties, this can also result in significant disturbance. In addition to nuisance, one of the most common concerns about piling is the perceived risk of structural damage. This is out-with the remit of this Service but is something the applicant should be mindful of. It is also expected that the contractor will employ the best practicable means to reduce the impact of noise/vibration from construction activities at all times and details of these will be included in the CEMP.

Operational Noise

3.47 In relation to operational noise, due to the close proximity of some of the sections of OHL to residential and noise sensitive properties, the applicant will be required to submit a detailed noise assessment undertaken by a competent person. It is noted that the scoping reports outlines basis of the noise assessment, and the noise assessment should include, but is not limited, to the following:

- A description of the proposed development in terms of noise sources and the proposed locations and operating times of the same.
- A detailed plan showing the location of noise sources, noise sensitive premises and survey measurement locations.
- A description of any noise mitigation methods that will be employed. The effect of mitigation methods on the predicted levels should be reported where appropriate.
- A survey of current ambient (LAeq) and background (LA90) noise levels at appropriate locations neighbouring the proposed site. It is noted that the scoping report confirms a survey of the background noise (LA90,T) ambient noise (LAeq,T), and 1/3rd octave band levels will be conducted at nearby NSRs likely to be affected by the noise, in accordance with TGN(E)3228.
- A prediction of noise levels resultant at neighbouring noise sensitive premises, for the operational phase of the proposed development. The raw data and equations used in the calculations should be made available on request.
- An assessment of the predicted noise levels in comparison with relevant standards. It is noted that the scoping reports cover the relevant standards and guidance which would apply to this development.
- The outcome of the noise assessment must clearly demonstrate noise arising from proposed development (including any accumulative effect from existing noise sources) will not have any adverse impact on existing noise sensitive properties and will meet agreed the target criteria.

3.48 It is noted that there are not any known vibration association with the operation of the OHL, and this has been scoped out of the assessment.

Construction Dust

3.49 Where sections of the OHL are in close proximity to residential or sensitive properties, a scheme for the suppression of construction dust will require to be include in the EIA or as part of the CEMP.

Cultural Heritage

3.50 The EIAR needs to identify all designated sites which may be affected by the development either directly or indirectly. This will require you to identify:

- the architectural heritage (Conservation Areas, Listed Buildings);
- the archaeological heritage (Scheduled Monuments);
- the landscape (including designations such as National Parks, National Scenic Areas, Areas of Great Landscape Value, Gardens and Designed Landscapes and general setting of the development; and
- the inter-relationship between the above factors.

3.51 We would expect any assessment to contain a full appreciation of the setting of these historic environment assets and the likely impact on their settings. It would be helpful if, where the assessment finds that significant impacts are likely, appropriate visualisations such as photomontage and wireframe views of the development in relation to the sites and their settings could be provided. Visualisations illustrating views both from the asset towards the proposed development and views towards the asset with the development in the background would be helpful.

3.52 It is anticipated that Historic Environment Scotland (HES) will provide comments on the assessment methodology for heritage assets within their remit including the scope of the assessment and their requirements for any supporting information (including visualisations) and the potential impacts on heritage assets. Detailed advise covering their interests has also previously been provided through pre-application advice.

3.53 The THC's Historic Environment Team has noticed that the scoping report has identified key receptors in relation to listed buildings and conservation areas for each section of the proposed overhead line. These focus on Category (A) Listed Buildings, Inventory Gardens and Designed Landscapes, Inventory Battlefields and Scheduled Monuments**. The proposed assessment therefore fails to consider impacts on a number of significant Category B and C listed buildings (as well as other designated heritage assets) along the route.** The scope of the setting assessment will need to be widened to key Category B and C listed buildings where the ZTV indicates intervisibility with the proposal (including alternative routes) and/or the OHL is located within 5km of the listed building. We would be pleased to agree with the applicant those Category B and C listed buildings that warrant further detailed assessment in advance of them conducting the study. Equally, setting assessments are required in relation to all conservation areas where the ZTV indicates

intervisibility with the proposal (including alternative routes). Due to the proximity of the proposal to the Strathpeffer Conservation Area, specific assessment is required to include photomontages from key vantage points.

3.54 The Historic Environment Archaeology officer is satisfied with the information provided in the scoping report and will adequately address an impact assessment for this proposal. The methodology as set out in the Scoping Report Section 9 is acceptable and will allow an assessment of the predicted impacts to be made. The scrutiny of available lidar data either open-access or anything produced as part of this project may identify assets where none have been found previously and this would be recommended. In addition, it is recommended that updated HER data is sought in advance of the start of the EIA research so that the baseline information is as recent as possible. Upstanding remains should be identified by survey and the potential for buried features or deposits to be present should be stated in the report. The scrutiny of available lidar data may identify assets where none have been found previously and this is welcomed. Where impacts are unavoidable, HET expect methods to mitigate this impact to be discussed in detail.

3.55 The indirect impacts on designated assets have taken the necessary direction from Historic Environment Scotland and are presented clearly in the Scoping Report. Therefor the THC' Historic Environment Team do not propose any additional archaeological assets (undesignated) that would need to be included in that study.

Traffic and Transport

Summary

3.56 THC Transport Planning review the Scoping Report and made the following comments.

Transport Planning on behalf of the Local Roads Authority (The Highland Council) request:

1. A single Transport Assessment (TA) to support the application rather than the two proposed by the applicant (see section 12.6.13). This will simplify and streamline its consideration. Only a single schedule of mitigation will be acceptable to address both the environmental and structural effects of transport on the local road network (it will not be appropriate to have two S96 Road Scotland Act Agreements or two Construction Phase Traffic Management Plans covering the same area of network). The relevant sections of the TA can be cross referenced within the EIA report.

2. A detailed scoping report to be agreed in writing by the Transport Planning Team prior to submission of the TA. The TA required is broader than that needed for the EIA alone

3. A detailed impact assessment of the transport movements generated to haul the bulk construction materials required for the access tracks within the Transport Assessment. This cannot be dealt with at a later stage as part of 'ancillary development' due to the likely scale of the impact and the requirement to manage the risk involved. There are many sensitive routes and receptors within the area.

The most practical method of assessing the transport effects and any mitigation required is through a comprehensive TA for the planning consent.

4. That the project is broken down into smaller sections agreed with Highland Council due to the scale of the project and the local road network affected. These sections will then be consistently used for the transport assessment, for mitigation proposals and for operational management of the network during construction (based on the mitigation identified). These sections shall be agreed with reference to:

- the Road Operational Structure of the Council
- the sources of the bulk materials (the possible quarries or borrow pits to be used)
- the main construction compounds or railheads proposed for laydown of materials and plant during construction (minor compounds may need to be brought forward at a later stage)
- the routes from the quarries to the main compounds, and from the main compounds to the access tracks for the OHL.

5. A meeting with the applicant early in 2025 to discuss the resources required within the Council for assessment and management of the impact on the local road network. The scale of the project and the likely effect on the Local Road Network is so extensive that Highland Council consider additional staff resource is required within the Authority

- at the planning stage to assess the submission in a suitably detailed manner within the timescales required by the project and
- during the enabling, construction and reinstatement phases to manage the mitigation required on the local road network (this will include the Road Authority Permissions).

6. More detailed guidance is currently being compiled to assist the applicant in preparing a comprehensive TA scoping document (and subsequent TA) and will be forwarded as soon as possible.

Supporting Evidence for the Summary

1. **A single Transport Assessment**
   Extract from section 12.6.13 of the Environmental Impact Scoping Report October 2024. A Transport Assessment (TA) will be prepared. The TA and the EIA would utilise the same baseline data; however, the TA will be prepared in accordance with its own relevant guidance and best practice and will be subject to a separate scoping exercise with the relevant authority. It will focus on the ability of the surrounding highway network to accommodate traffic associated with the Proposed Development'
2. **A single scoping document for the Transport Assessment**

See item 1 above.

3. Requirement to include the access tracks within the Transport Assessment

i) Scope of Impact on the local road network

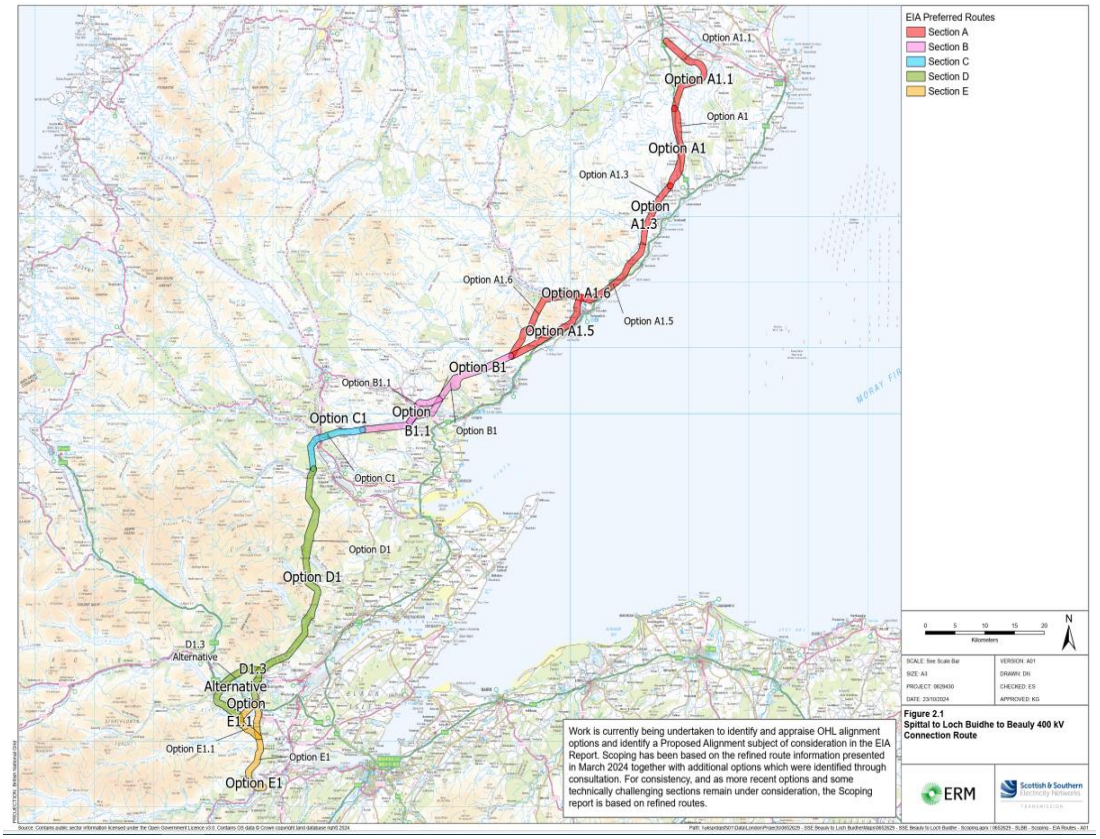


Figure 2.1 (Appendix A of the EIA Scoping Report) Showing the extent of the connection route

SSE have appointed different contractors to deal with different sections. Murphy are the contractor for Section A (shown on the plan above). Murphy have engaged with the Local Road Authority, and this has been helpful. The contractors for phases B to E have not submitted similar information to date. Further details of the scope are therefore given below for section A only.

ASTI: PATHWAY TO 2030 Bellmouths and Access Routes

Access Information

- 96Km Ovehead Line route
- 297 Towers

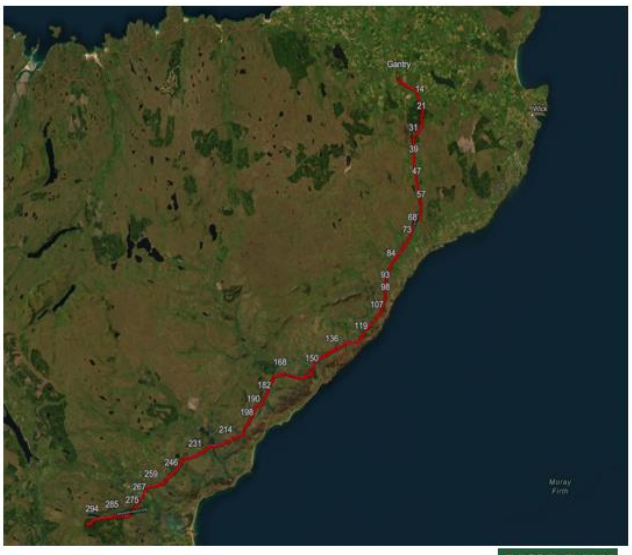
- Upgrade Existing Road 24km
- Upgrade Existing Track 42km
- Install New Perm Track 86km
- Install Temp Access 42km

- 118 Bellmouth/Accesses in total.
- 34 PotentiallyDirectly Off the A9 (Transport Scotland)
- 84 potentially on non-Trunk roads (Highland Council)

- Options on legacy opportunities, extended laybys, motorhome hook ups etc

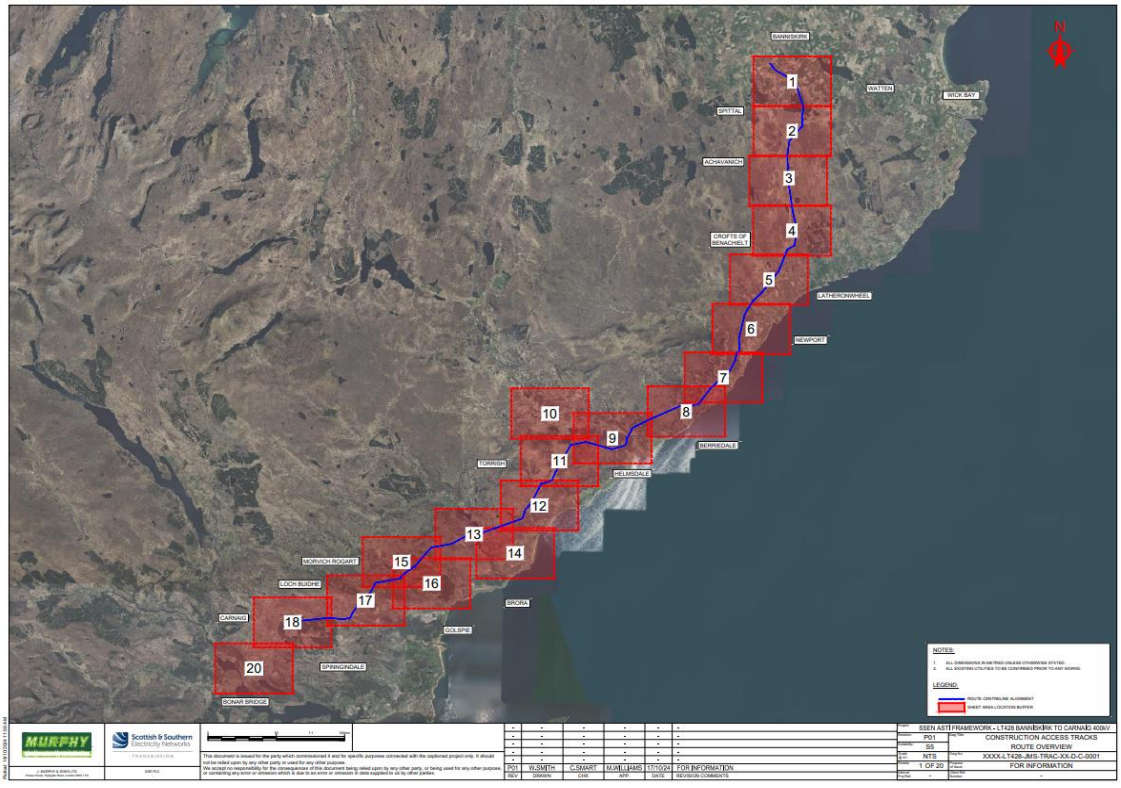
- Programme Construction commences Q2 2026.

Exploring opportunity to install/upgrade accesses early

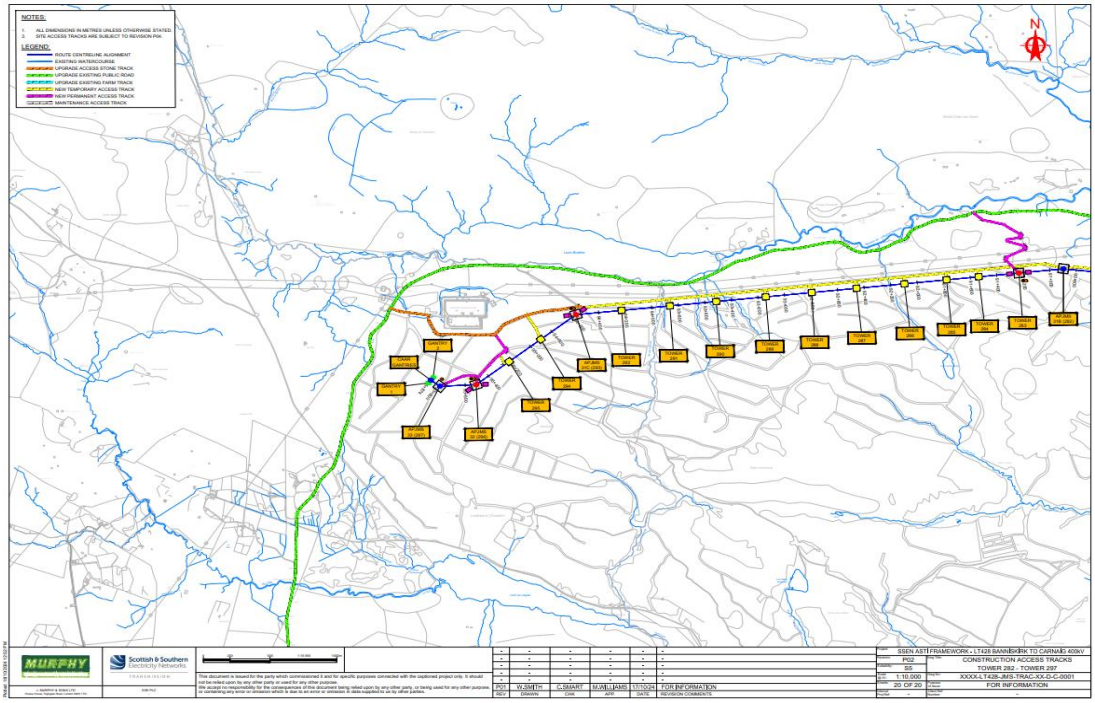


MURPHY
WORLD-CLASS INFRASTRUCTURE

Summary of Access Information For Section A

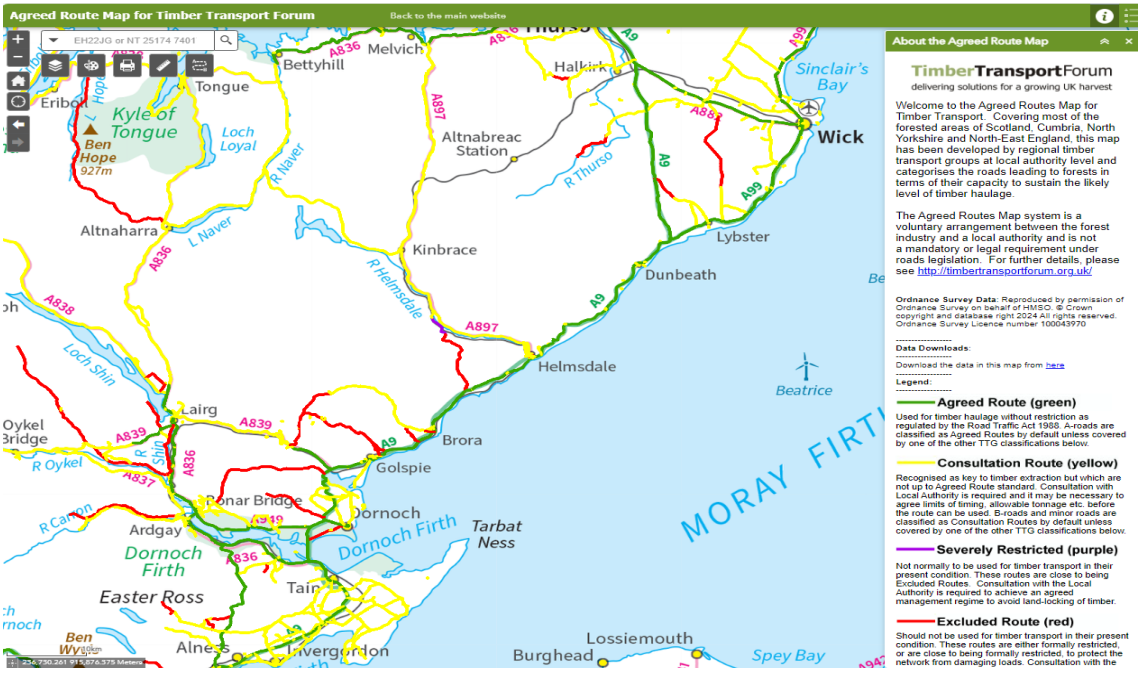


Overview Plan showing the extent of detailed access information sheets for Section A



Example Plan showing extent of access tracks and impact on local road: Sheet 20 of 20 for Section A.

ii) Significance of Impact on the local road network – fragile local road network



Extract from the Agreed Route Map for Timber Transport. For all routes except those shown green consultation is required with the road's authority for standard HGV movements. Link to website:

https://timbertf.maps.arcgis.com/apps/webappviewer/index.html?id=4a23d4910e604b71872956441113c83c.

4. **Requirement to break down the Transport Assessment and the Mitigation into consistent sections to be agreed with the Roads Authority**

Plan of Road Operational Areas

Ensuring that the transport assessment and related mitigation is structured in a consistent manner throughout the lifetime of the project will expedite management of the process for the Council and for the applicant. Splitting the project into manageable sections that align

with the Road Operations structure of the council will assist particularly during the construction and monitoring of the mitigation and the related Roads Authority consents.

5. **Discussion of resources required to assess and manage the impact on the local road network of this scheme (concurrent with other significant energy applications).** To ensure that the risk to the local road network is managed with appropriate mitigation and monitoring appropriate resource is required within the Local Road Authority. Tables 3.2 and 3.3 of the scoping documents submitted lists **27 significant Substations, Grid Connections, Battery Energy Storage Systems and Windfarms** which may have a cumulative impact on the local road network together with the current proposals. This number of developments and the scale of the OHL project shows the extra-ordinary scale of energy related projects requiring assessment and management at present.

Socio-Economic, Tourism and Recreation

3.58 A development of this scale and duration may result in potential significant effects (positive and/or negative). We consider that Socio-Economic, Tourism and Recreational impacts should have its own chapter in the EIAR to ensure that these matters are appropriately addressed and do not agree that part of this should be presented out with the EIA. This assessment should be provided within the EIAR, irrespective if the project is an identified national development in NPF4 or otherwise. The EIAR should estimate who may be affected by the development, in all or in part, which may require individual households to be identified, local communities or a wider socio-economic grouping such as tourists and tourist related businesses, recreational groups, attractions and events. The application should include relevant economic information connected with the project, including the potential number of jobs, and economic activity associated with the procurement, construction, operation and decommissioning of the development. This should set out the impact on the regional and local economy, not just the national economy. Any mitigation proposed should also address impacts on the regional and local economy.

Public Access

3.59 The site is on land with access rights provided by the Land Reform Scotland Act. The potential impact on and mitigation for public access should be assessed incorporating core paths, public rights of way, long distance routes, other paths, and wider access rights across the site. While the Scoping Report and an eventual EIA may include impacts on elements of outdoor access assessed under other headings, THC's Access Officer considers that all the impacts on outdoor access should be brought together here in a comprehensive assessment of the proposals visual and physical impacts on outdoor access during the preparatory, construction, operational and post-operational phases. THC's Access Officer considers that Scoping Report Chapter 15.5 contains two incorrect statements:

- Para 15.5.1 states that there is no established guidance for conducting a recreation

(and tourism assessment) as part of an EIA process. NatureScot's Handbook on EIA has however carried out such guidance int its 5th edition published in 2018. Appendix 6 (Outdoor Access Impact Assessment) can be found via the following weblink and the applicant's are encouraged to follow this format:

https://www.nature.scot/sites/default/files/2018-05/Publication%202018%20-%20Environmental%20Impact%20Assessment%20Handbook%20V5.pdf

Following the aforementioned guidance will ensure that a comprehensive baseline is assessed from which an accurate picture of impact can be gained, and mitigation measures planned. That will inform the access management plan that the Planning Authority will request under HwLDP Policy 77 Public Access, and which is promised in EIAR Scoping Report Para 15.4.3 and should reference HwLDP Policy 78 Long Distance Routes for maintaining these routes and protecting their setting.

- Para 15.5.2 goes on to reference the DMRB as an example of guidance that might be used to inform the assessment. This should instead have referenced the aforementioned guidance which should be applied.

3.60 With regard to statements on potential impacts refer to temporarily or permanently diverting core paths and public rights of way, the applicant should be aware that diverting those paths are likely to require the successful making of orders for which the applicant will be required to pay for, whether or not they are successful. The processes can be long and the outcomes far from assured. It would be more efficient to consider the impacts of the project on public access, minimise any negative impacts and maximise positive impacts from the outset.

Forestry

3.61 The Council's Forestry Officer welcome the inclusion of a Forestry Impact Assessment (FIA) chapter within the EIA Report to quantify the total area of felling required for the operational corridor. The forestry officer also welcome 14.3.3 which states that 'the width of the operational corridor, and thus degree of felling, would be minimised'.

3.62 It is important to distinguish between permanent woodland removal and restructuring. Permanent woodland removal will need to be assessed against the acceptability criteria described within the CWR policy and in most cases, it will include a requirement for compensatory planting. One exception to this may be where an approved Forest Plan has already identified an area for forest to bog restoration, as alluded to in 14.3.4.

3.63 Restructuring, which should be the default position, may include a change in management objectives, such as from productive conifer plantation to native woodland managed for biodiversity. This would create a more stable woodland with a lower ultimate height which would help minimise the width of the operational corridor and therefore the area of permanent woodland removal. Robust justification needs to be given where there is a departure from this approach.

3.64 14.4.2 identifies compensatory planting as one of the key forms of mitigation. A Compensatory Planting Plan will be required which clearly identifies all areas of permanent woodland removal by woodland type in order to then calculate the area of compensatory planting. Woodland types could be defined as productive/non-productive, native/non-native and ancient/non-ancient (with reference to the Ancient Woodland Inventory). Where woodlands of high biodiversity value are to be removed, an enhanced area and specification will be required for compensatory planting. The detail as to how this will be calculated is to be agreed with the Planning Authority.

3.65 14.5.2 suggests that the FIA will focus on areas of commercial forestry. While this may be the woodland type most affected by the proposed development (estimated at 67%), NPF4 Policy 6 identifies other woodland types which afford the greatest protection, such as ancient woodland and veteran trees. It is these areas which require greater consideration in terms of avoiding or minimising woodland removal. Any tree groups or individual trees of particular merit must also form part of the FIA. It may be more appropriate to adopt the Arboricultural Impact Assessment methodology given in BS5837:2012 (Trees in relation to design, demolition and construction) for this more detailed level of survey.

Issues to be Scoped Out

3.66 The THC's Forestry Officer disagrees with 14.7.1 which suggests that the FIA will not consider any felling or restocking requirements outwith the operational corridor. It is considered as essential for the wider implications of permanent woodland removal or restructuring associated with the proposed development, as identified in 14.3.2, to be assessed within the EIA Report. Even if the works outside the operational corridor are to remain the responsibility of the landowners, any impact arising from the proposed development and the associated mitigation needs to be identified, along with a proposed mechanism for securing delivery.

3.67 The THC's Forestry Officer accepts 14.7.2 which suggests that secondary effects resulting from forestry activities (such as habitats and species), will be considered within their respective chapters within the EIA Report. However, it will be important that these respective chapters make direct reference to the FIA chapter to ensure consistency.

Miscellaneous

3.68 The EIAR needs to address all relevant climatic factors which can greatly influence the impact range of many of the preceding factors on account of seasonal changes affecting, rainfall, sunlight, prevailing wind direction etc. From this base data information on the expected impacts of any development can then be founded recognising likely impacts for each phase of development including construction, operation, and decommissioning. Issues such as dust, air borne pollution and / or vapours, noise, light, can then be highlighted. Consideration must also be given to the potential health and safety risks associated with lightning strikes given the proximity of recreational routes through the site.

4.0 Significant Effects on the Environment

4.1 Leading from the assessment of the environmental elements the EIAR needs to describe the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from:

- the existence of the development;
- the use of natural resources; and
- the emission of pollutants, the creation of nuisances and the elimination of waste.

4.2 The potential significant effects of development must have regard to:

- the extent of the impact (geographical area and size of the affected population);
- the trans-frontier nature of the impact;
- the magnitude and complexity of the impact;
- the probability of the impact; and
- the duration, frequency and reversibility of the impact.

4.3 The effects of development upon baseline data should be provided in clear summary points.

4.4 The Council requests that when measuring the positive and negative effects of the development a four point scale is used advising any effect to be either strong positive, positive, negative or strong negative.

4.5 The applicant should provide a description of the forecasting methods used to assess the effects on the environment.

5.0 Mitigation

5.1 Consideration of the significance of any adverse impacts of a development will of course be balanced against the projected benefits of the proposal. Valid concerns can be overcome or minimised by mitigation by design, approach, or the offer of additional features, both on and off site. A description of the measures envisaged to prevent, reducing and where possible offset any significant adverse effects on the environment must be set out within the EIAR and be followed through within the application for development.

5.2 The mitigation being tabled in respect of a single development proposal can be manifold. Consequently, the EIAR should present a clear summary table of all mitigation measures associated with the development proposal. This table should be entitled draft Schedule of Mitigation. As the development progresses to procurement and then implementation this carries forward to a requirement for a Construction Environmental Management Document (CEMD) and then Plan (CEMP) which in turn will set the framework for individual

Construction Method Statements (CMS). This is currently under review by a working party led by SEPA working through Heads of Planning Scotland but for the time being remains relevant.

5.3 The implementation of mitigation can often involve a number of parties other than the developer. In particular local liaison groups involving the local community are often deployed to assist with phasing of construction works – abnormal load deliveries, construction works to the road network, borrow pit blasting. It should be made clear within the EIAR or supporting information accompanying a planning application exactly which groups are being involved in such liaison, the remit of the group and the management and resourcing of the required effort.

If you would like to discuss this scoping response, please contact the undersigned.

Ikram Ullah

Graduate Planner

Strategic Projects Team

By email: Econsents_Admin@gov.scot

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Energy Consents Unit

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Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our case ID: 300064650
Your ref: ECU00006008
13 December 2024

Dear Lee Stirrat

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Spittal – Loch Buidhe – Beauly 400 kV Overhead Line
Scoping opinion

Thank you for consulting us on this Environmental Impact Assessment (EIA) scoping report, which we received on 25 October 2024. We have reviewed the details in terms of our historic environment interests. This covers World Heritage Sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and Historic Marine Protected Areas.

The relevant local authority archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include topics covered by our advice-giving role, and also other topics such as unscheduled archaeology, category B and C listed buildings, and conservation areas.

Proposed development

We understand that the proposed development comprises a new 400kV overhead line (OHL) running between a new substation at Banniskirk, Spittal via a new substation at Carnaig, near Loch Buidhe to a new substation at Fanellan, Beauly. The proposals are for approximately 167km of new 400kV double circuit OHL carried on steel lattice towers of average height of 57m and average spans of 350m between towers.

Scope of assessment

We recommend that the applicant refers to the EIA Handbook for best practice advice on assessing cultural heritage impacts.

We have identified likely significant effects on our historic environment interests. Our advice on the nature of these impacts, and any potential mitigation measures, are

included in an annex to this covering letter. This also includes our requirements for information to be included in the EIA Report.

We also recommend that further pre-application engagement is undertaken with us to ensure appropriate design and mitigation measures are implemented for the historic environment.

Further information

Decisions that affect the historic environment should take the Historic Environment Policy for Scotland (HEPS) into account as a material consideration. HEPS is supported by our Managing Change guidance series. In this case we recommend that you consider the advice in the setting guidance note.

We hope this is helpful. If you would like to submit more information about this or any other proposed development to us for comment, please send it to our consultations mailbox, hmconsultations@hes.scot. If you have questions about this response, please contact Victoria Clements at Victoria.Clements@hes.scot.

Yours sincerely

Historic Environment Scotland

ANNEX

Historic Environment Scotland's interest

We have previously provided advice on potential impacts on historic environment assets within our remit during pre-application consultations with the applicant in October 2023, May, July, September and October 2024. We welcome that impacts on the historic environment have been scoped in to the EIA. Our detailed comments below relate to the assets most likely to be affected by the most recent information provided to us including draft visualisations provided in October 2024 and may therefore represent different assets to some of those identified in the scoping report baseline section based on our October 2023 response.

The following designated historic environment assets are in the vicinity of the development and have the potential to be impacted by it. This list is not considered to be exhaustive, and we would recommend that a wider search is undertaken of the surrounding area for potential impacts in the first instance; any impacts to the settings of assets should be assessed appropriately to determine whether these will be significant.

We recommend that an appropriately detailed ZTV should be used to identify potential setting impacts in the first instance. We welcome that the scoping report indicates that a ZTV will be used and we have provided further comments below.

Scheduled monuments and Inventory historic battlefields

There are a large number of scheduled monuments with the potential to be subject to impacts on their settings as a result of the proposed scheme. The scoping report suggests that there are 838 monuments within 10km of the proposed OHL, excluding 56 monuments that lie within the proposed development boundary itself. This means that this scheme has the potential to have adverse impacts on the setting of over 10% of all of Scotland's scheduled monuments. The monuments currently identified as having the potential of being subject to significant adverse impacts are set out in greater detail below:

- Gallow Hillock, cairn on Backlass Hill (SM450)
- Bail A Chairn, broch (SM13634)
- Carn A Chladha, broch (SM13632)
- Scouthal Burn, chapel & The Clow (SM721)
- Achkinloch, stone setting SW of, Loch Stemster (SM420)
- Minera, hut circles 330m SSE of, 370m ESE of and 270m E of (SM6015)
- Minera, standing stone 470m S of (SM457)
- Minera, broch 90m SSE of (SM568)
- Buolacrabher, chambered cairn 1350m SSW of (SM5224)
- Buolacrabher, chambered cairn 1550m S of (SM445)
- Buolacrabher, settlement 1170m S of (SM6014
- Bridge Of Badnagie, chambered cairn 610m NNW of (SM425)
- Bridge of Badnagie, settlement 400m NW of (SM5186)

- Bridge of Badnagie, standing stone 600m N of (SM5304)
- Bridge of Rhemullen, broch 450m NWE of (SM574)
- Bridge of Rhemullen, broch 180m SW of (SM5088)
- Dun Beath, broch, Dunbeath (SM546)
- Loedebest, settlement (SM5152)
- Achorn Bridge, settlements 1100m NNE of (SM5150)
- Cairn Liath, long cairn and round cairn (SM438)
- Loedebest, cairn 500m SSE of (SM5191)
- Loedebest, chambered cairn 400m WNW of (SM5163)
- Cnoc na Maranaich, chambered cairn, burial cist and standing stone (SM443)
- Balantrath, broch 135m WNW of (SM522)
- Achorn, broch 200m NW of (SM511)
- Achorn Bridge, prehistoric and post-medieval settlement 400m ENE of (SM512)
- Balcraggie Lodge, four hut circles 300m SSE of (SM3521)
- Burg Ruaidh, or Borgue Roy, broch, Berridale Water (SM526)
- Upper Borgue, broch (SM596)
- Upper Borgue, standing stone 410m SSE of (SM502)
- Clais-Cairn, chambered cairn 550m SW of (SM424)
- Rinsary, homestead 500m WNW of, Berriedale (SM3473)
- Tulloch Bad a'Choilich, hut circles, settlements and cairns 400m ENE of (SM3475)
- Rinsary, broch and post-medieval farmstead 300m SSW of Berridale (SM577)
- Cnoc Fionn, hut circle 250m SW of (SM3559)
- Cnoc Fionn, hut circle 250m SSW of (SM3537)
- Turnal Rock, hut circle complex 250m NW of Langwell Tulloch Broch (SM13631)
- Tulloch Turnal, broch 500m WNW of Turnal Rock, Langwell (SM3440)
- Caen, long cairn 460m NNW of (SM1771)
- Borgue Langwell, homestead 150m NW of broch, Berridale (SM525)
- Borgue Langwell, broch, outworks and later settlement, Berriedale (SM524)
- Cnoc Bad Asgaraidh, chambered cairn 570m E of, Langwell (SM423)
- Allt a'Bhurg, broch, Ord of Caithness (SM515)
- Lothbeg Bridge, long cairn 210m ESE of (SM1808)
- Caen, long cairn and round cairn 470m and 490m W of (SM1770)
- Caen, long cairn 530m NW of, Helmsdale (SM432)
- Carn Burn West, 935m WNW of Caen (SM13647)
- Kilphedir, hut circles & chambered cairns 700m E of (SM290)
- Salscraggie Lodge, souterrain 40m SW of (SM1884)
- Kilphedir, hut circle 740m ESE of (SM2814)
- Eldeble, broch SW of (SM1863)
- Kilphedir, hut circles & field system 150m-600m E of (SM2809)
- Clach Mhic Mhios, standing stone, Glen Loth 4000m N of Lothbeg Bridge (SM1778)
- Carn nan Uaigh, prehistoric settlement (SM13627)
- Carrol, fish farm 430m SE, 410m SSE, 660m and 890m SW of (SM13617)
- Carrol, broch 600m SSW of, Loch Brora (SM1846)

- East Kinnauld School, broch NE of (SM1862)
- East Kinnauld, fort 1000m NE of Eiden (SM1861)
- Carn Liath, cairn & chambered cairn 1200m WNW of Torboll (SM1772)
- Loch a'Bhiocair, two hut circles and clearance cairns 800m NW of (SM1822)
- Morvich Lodge, cairns, hut circles & clearance cairns 400m E of (SM1809)
- Invershin Primary School, settlement 600m E of (SM5498)
- Invershin Farm, settlement and burnt mound 1200m E of (SM5470)
- Invershin Farm, settlement and burnt mound 500m E of (SM5497)
- Invershin Farm, standing stone 220m ENE of (SM1791)
- Boath, three chambered cairns NE and NNE of Easter Ballone Farm (SM6644)
- Strath Sgitheach, settlement NW of Cnoc a'Mhuillinn (SM10495)
- Firth View, settlement 1300m NW of (SM4728)
- Balnacrae, chambered cairn 230m WSW of (SM2396)
- Loch Kinellan, crannog (SM3987)
- Dun Garbhlaich, fort, Kilmorack (SM2422)
- Dun Mor, fort (SM4979)
- Dun Fhamhair, fort (SM5212)
- Dun a Chliabhain, fort (SM2424)
- Battle of Carbisdale (BTL19)

There are a number of monuments that have not been previously highlighted in earlier pre-application discussions. This is because in previous consultations the focus has been on distinct clusters and pinch points, rather than the whole scheme. Earlier consultation also included a number of alignments with little detailed supporting information. Previous advice has been provided with the expectation that avoidance of impacts on the site and setting of scheduled monuments would be taken on board as the proposals were developed and options considered as stated in the scoping report. With the submission of additional information, we are now better placed to provide more detailed comments and focussed advice on potential impacts.

We appreciate that the design team have taken some steps to address historic environment concerns by looking at tower placement along the potential alignment; however, the current potential alignment does not avoid impacts on the setting of many assets as the selected alignment runs along the main break of slope between the coastal plain and inland uplands, where the majority of scheduled monuments survive. In some cases, this is a matter of survival, as monuments lower down have often been removed through agriculture or the expansion of modern settlement. In others this demonstrates the extent of upland farming when the environment was more favourable or because population pressure encouraged exploitation of upland valleys prior to the Clearances. However, in most cases this is because this is where important monuments were deliberately placed, to exploit views over valley systems and coasts and the transition from lowland to upland. In all these cases their location and the experience of views and the upland character of their surroundings are key to their settings.

The potential alignment route runs through one of the densest concentrations of scheduled monuments in Scotland, and as a consequence there are a large number of

nationally important sites that have the potential to be subjected to significant adverse impacts on their site and setting as a result of this scheme. NPF4 places significant emphasis on the need to protect the historic environment and give due weight to the national importance of scheduled monuments when considering development proposals. This indicates that the primary aim in relation to the historic environment when designing development proposals is the avoidance of direct impacts and impacts on the setting of assets. We suggest that more weight may need to be given to the historic environment than has been given so far when considering the route, alignment and more detailed design of the proposed 400kV OHL. As the scheme stands, there are a large number of locations where the severity of impacts on the settings of scheduled monuments is likely to raise issues of national interest that means HES would need to object.

Gallow Hillock, cairn on Backlass Hill (SM450)
This site is a prehistoric burial cairn located on top of a locally prominent hill with wide views westward which are important to its setting.

The potential alignment of the 400kV OHL is located around 1.4km to the west of the cairn and would be very close to the monument in these key western outward views. The alternative alignment would see the line routed much closer to the monument, with the corridor coming within approximately 15m of the scheduled area. It would be very prominent in these important outward and westward views of the monument looking west, disrupting its relationship with the ground here and potentially with any more important alignments in this direction.

No visualisations of either views to or from the cairn have been provided. It is not, therefore, possible to establish the severity of this impact based on the information currently available. Photomontages should be provided in due course, with any significant impacts assessed and ideally avoided.

Bail A Chairn, Broch (SM13634), Carn A Chladha, Broch (SM13632) and Scouthal Burn, Chapel & The Clow (SM721)
These sites form a cluster of monuments along the Burn of Acharole with a deliberate relationship with the routeway along the Burn and over the wider flatter ground on either side. It seems probable that views along the burn that take in the monuments and their relationships have the potential to be affected. The towers and line of the alternative alignment would be substantially closer and dominate all three, but particularly the two brochs, with Bail A' Chairn falling within the route corridor. For the alternative alignment the integrity of these monument's setting would be significantly adversely affected. A number of consented and proposed windfarms occur within these views and some of these may help the OHL to be absorbed into the views from the monuments. No visualisations have been provided as yet to help undertake an assessment of these impacts. Photomontages should be provided and the impacts assessed and mitigated as the development progresses.

Achkinloch, stone setting SW of, Loch Stemster (SM420) and Achkinloch, chambered cairn 755m SW of, Loch Stemster (SM419)

This monument is a prehistoric U-shaped stone setting located in a discrete hollow around the shores of Loch Stemster. Its axial alignment emphasises outward views to the south-south-east, and there are reciprocal inward views looking north-north-west. A chambered cairn, Achkinloch, chambered cairn 755m SW of, Loch Stemster (SM419), is located immediately adjacent. The stone setting and adjacent chambered cairn form part of a wider complex of prehistoric ritual monuments around the loch and their settings include views not only between each other and the surrounding bowl around Loch Stemster, but also views including axial views along the alignment of the stone setting and the much wider sweeping views westward. These views and the relatively undeveloped nature of this area adds to these monument's settings and contribute to its sense of place. The monuments are widely promoted and visited, and the interpretation emphasises their relationship with their surroundings.

Two draft visualisations have been provided separately to HES, one looking south-south-east from the open end of the stone setting, and the other looking north-north-west along the length of the stone setting. Looking south-south-east, the draft visualisation shows the existing OHL just visible above the break of slope to the right of shot, with the proposed 400kV OHL visible to full height running parallel but upslope of the existing OHL. Whilst the view to the skyline looking along the axis of the stone alignment out of the open end would not contain the proposed OHL within the narrow field of view shown in the draft visualisation, the 400kV OHL would be immediately peripheral to that view.

Looking north-north-west, the draft visualisation shows the proposed 400kV OHL converging with a view along the axis of the monument to where the OHL would run over the shoulder of the Hill of Rangag. As well as appearing in and dominating this key view into and along the axis of the monument, and although not shown in the draft visualisation, the line would also presumably run all the way along and sever the views and relationship between the monument and the wide sweeping views westwards.

The severity of impact on the setting of this monument is likely to be such that we would object to the scheme in its current form and alignment. A full set of photomontages, showing the full impact of the line along views to the west, north and south of the monument needs to be provided and the impacts fully assessed, with significant impacts mitigated by design.

Minera, hut circles 330m SSE of, 370m ESE of and 270m E of (SM6015), Minera standing stone 470m S of (SM457) and Minera, broch 90m SSE of (SM568)

These monuments all have settings which focus away from the proposed route of the 400kV OHL. The potential alignment runs parallel to the existing 132kv OHL as it passes over the watershed between Latheronwheel and Houstry before starting to diverge westwards further south. Where it runs parallel with the existing line the impacts of the new line would sit well within the current level of modern intrusion on these monuments' wider settings. However, the route corridor sits very close to and possibly oversails all three of these monuments. Should the line shift any further west than currently envisaged it would result in significant adverse impacts on these monument's settings. Should this

be the case, the potential impacts should be assessed, photomontages provided and significant impacts avoided by design.

Buolacrabher, chambered cairn 1350m SSW of (SM5224), Buolacrabher, chambered cairn 1550m S of (SM445) and Buolacrabher, settlement 1170m S of (SM6014)
These monuments comprise a cluster of Neolithic or Bronze Age burial cairns and a related settlement of slightly later date on either side of the shallow valley of the Burn of Houstry. The setting of the cairns includes intervisibility between them and those further down the Burn (Bridge Of Badnagie, chambered cairn 610m NNW of (SM425)), a relationship to the burn itself, and longer distance outward views looking south towards the sea. The setting also includes a sense of place that derives from the valley being relatively devoid of modern infrastructure.

All three would sit within the corridor and very close to the preferred alignment. The draft visualisation shows the outward view from the first of these cairns looking south-east down the shallow valley, with the sea visible at Dunbeath beyond. Within the view are a number of other monuments, including the other two chambered cairns. The proposed 400kV OHL would cut across the valley in close proximity to them, visually separating the monuments from one another, from their relationship to the valley, and from their visual relationship to the sea beyond, as well as fundamentally altering the sense of place. The proposed OHL would only be around 150m from the second cairn and would almost certainly tower over it. The existing OHL is visible, but at a greater distance and does not compromise an understanding, appreciation and experience of the setting of the cairns.

The severity of impact on the settings of these monuments is likely to be such that we would object to the scheme in its current form and alignment. A set of photomontages should be provided to demonstrate the scale of impacts and the impacts fully assessed. The design should seek to mitigate the significant scale of impacts currently shown.

Bridge of Badnagie, chambered cairn 610m NNW of (SM425), Bridge of Badnagie, settlement 400m NW of (SM5186) and Bridge of Badnagie, standing stone 600m N of (SM5304)
These monuments all share a similar relationship with the Burn, each other and the cluster of chambered cairns to the north. All would be very close to the line and even closer to the corridor. It is possible that the line could have a significant adverse impact on their settings. No visualisations have been provided. Photomontages should be provided, the impacts assessed, and any significant adverse impacts avoided.

Bridge of Rhemullen, broch 450m NWE of (SM574)
The setting of Bridge of Rhemullen, broch 450m NWE of (SM574) is primarily focussed towards the lower lying ground to the east, south and west where other likely contemporary brochs are located, such as Bridge of Rhemullen, broch 180m SW of (SM5088) and Dun Beath, broch, Dunbeath (SM546). The potential alignment would be uphill of and away from this primary relationship, and whilst it would probably appear in outward views and key views from the southeast, it seems likely at this stage (without any supporting information) that any impacts would not be significantly adverse. Photomontages from the monument and of it from the area to the southeast should be

provided to confirm this. However, should the line shift further east within the corridor then the likelihood of significant impacts would substantially increase, and care should be taken to avoid this.

Dunbeath Strath contains one of the best preserved upland landscapes in Scotland containing a large number of scheduled monuments that demonstrate multiple phases of occupation and use of upland areas from the Late Neolithic to the last century. This includes prehistoric chambered cairns, focussed on the transition from agricultural zones to upland, prehistoric settlement and field systems and later farmsteads and townships than were occupied from the medieval period to relatively recently. Once densely settled, the settings of the monuments in the Strath are heavily intertwined, with association relationships extending beyond the intervisibility that is so important to many of the sites. The Strath was largely abandoned as part of the Highland Clearances and related emigration, leaving only small traces of shepherds' housing, which itself has subsequently dwindled. It is largely devoid of modern intervention. This sense of abandonment and isolation adds to its association with the Clearances, leading to a highly evocative sense of place. As a result, it is promoted as a visitor attraction.

The OHL would cross the mouth of the glen, it would significantly disrupt the experience of entering this upland area and its open, abandoned and isolated setting. It would also dominate key views from a number of the component elements of the scheduled monuments and oversail and dominate others. The integrity of the settings of a number of individual monuments and the integrity of the group would be significantly adversely affected. The scale of impacts is likely to be of such a scale that we would be likely to object to the proposals if they were to come through in their current form.

Loedebest, settlement (SM5152)
This monument is a post medieval settlement with potential for earlier origins. The scheduled area is one of the largest and most extensive in the Strath. The draft visualisation provided separately to HES from this monument shows the outward view from the monument looking south-south-east from the terrace above the Dunbeath Water. Whilst the existing OHL is of limited perceptibility on the skyline beyond, the proposed 400kv OHL is shown crossing the strath, with pylons footed on either side of incision for the river and the line itself visible in views looking towards the coast. Whilst this will clearly represent an adverse impact on the character of the setting of the monument, photomontages are required in order to demonstrate the severity of that impact and inform meaningful mitigation through redesign or relocation.

Achorn Bridge, settlements 1100m NNE of (SM5150)
Similar impacts are also likely for Achorn Bridge, settlements 1100m NNE of (SM5150), the southern end of which falls within the corridor. Visualisations, assessment and avoidance of impacts will need to be undertaken as the proposals progress.

Balcraggie Lodge, settlement 700m N of (SM5230)
A draft visualisation provided to HES from a location overlooking nearby Balcraggie Lodge, settlement 700m N of (SM5230) which is positioned much closer to the Dunbeath Water, sits entirely within the route corridor and would be oversailed by the potential

alignment. Whilst the existing OHL is of limited perceptibility on the skyline in the distance in outward views, the proposed 400kV OHL is shown crossing the strath, with pylons footed on either side of incision for the river. The line itself would be extremely dominant over the monument and in views looking towards the coast. This would result in a significant adverse impact on the integrity of the monument's setting. 360° photomontages will be required and a full assessment undertaken Avoidance of significant impacts through mitigation by design should be undertaken.

Cairn Liath, long cairn and round cairn (SM438), Loedebest, cairn 500m SSE of (SM5191), Loedebest, chambered cairn 400m WNW of (SM5163) and Cnoc na Maranaich, chambered cairn, burial cist and standing stone (SM443)
There is a cluster of prehistoric burial cairns above the Strath: Cairn Liath, long cairn and round cairn (SM438), Loedebest, cairn 500m SSE of (SM5191), Loedebest, chambered cairn 400m WNW of (SM5163) and Cnoc na Maranaich, chambered cairn, burial cist and standing stone (SM443). Their settings include a deliberate relationship to the Dunbeath Water and the Strath on either side. Intervisibility between the cairns and the nearby settlement lower down in the Strath, where the people who commemorated their dead in the cairns lived and worked, is likely to contribute to their setting, as are key outward views east along the river towards the sea.

The draft visualisations supplied to HES from nearby Loedebest, settlement and for Cnoc na Maranaich suggest that the proposed 400kV OHL would cut across these key outward views towards the sea, diminishing an understanding and appreciation of the contribution that this key view makes to the setting of the cairns. It would also be highly dominant and disrupt views to and from the Strath and the relationship between these monuments and their surroundings. The severity of impact on the settings of these monuments is likely to be such that we would object to the scheme in its current form and alignment. Full photomontages will be required in due course, along with a full assessment. Mitigation by design to avoid these impacts should be undertaken.

Balantrath, broch 135m WNW of (SM522), Achorn, broch 200m NW of (SM511), Achorn Bridge, prehistoric and post medieval settlement 400m ENE of (SM512) and Balcraggie Lodge, four hut circles 300m SSE of (SM3521)
These monuments represent a collection of interrelated later prehistoric defensive homesteads, settlements and the remains of more recent farming activity. They all fall within the corridor. The potential alignment would be within 40m of Achorn Bridge settlement and include a pylon almost immediately alongside it. The other monuments range in separation from the line but none would be at any significant distance away. At such close proximity it seems highly probable that the line and towers would dominate these monuments and disrupt their relationship between each other and their surroundings. The impacts would be significant on most, if not all of these monuments and their settings, and particularly for Achorn Bridge settlement.

A draft visualisation has been provided to HES from Balantrath broch. It shows the view looking south-west towards Achorn broch. The image suggests that topography prevents intervisibility between the monuments, and the proposed line would sit unobtrusively behind the hill. The visualisation does not show any potential impacts on views upstream

and how this might have an impact on the contribution that views up the strath make to the setting of the monument. Whilst this will likely represent an adverse impact on the character of the setting of the monument, it is not possible to assess the severity of that impact based on the limited scope of the visualisations we have seen to date.

Although no visualisations have been produced for the remainder of these monuments, the severity of impact on the settings of Achorn Bridge Settlement alone is likely to be such that we would be likely to object to the scheme in its current form and alignment. It is likely that the impacts on the other monuments would be similarly significant adverse. Wide photomontages are needed from all of these monuments, the impacts should be fully assessed and any significant impacts should be mitigated by design.

Burg Ruaidh, or Borgue Roy, broch, Berridale Water (SM526)
The current potential alignment would not result in significant impacts on the setting of Burg Ruaidh, or Borgue Roy, broch, Berridale Water (SM526). However, should the line shift further west within the corridor the level of impacts could substantially increase. If the line is likely to move in this direction photomontages should be provided, the impacts assessed and any significant impacts avoided by design.

Upper Borgue, broch (SM596), Upper Borgue, standing stone 410m SSE of (SM502) and Clais-Cairn, chambered cairn 550m SW of (SM424)
As currently designed the potential alignment would sit to the east of the corridor and narrowly avoid Upper Borgue, broch (SM596) and Upper Borgue, standing stone 410m SSE of (SM502). However, they would only be approximately 380m and 180m away from the line respectively. In this location the proposed 400kV OHL would also pass within 550m and upslope of Clais-Cairn, chambered cairn 550m SW of (SM424).

A proposed pylon is positioned directly to the seaward side of the standing stone. The line's proximity will dominate and fundamentally alter the character of the wide open hillside around it that contributes to the setting of all three monuments. It will diminish an understanding and appreciation of the broch's relationship to the fertile lands and valley below. It will sever the visual relationship that the standing stone has with the sea. It is also likely that key views upwards from and of the cairn would be affected, significantly diminishing the cairn's positioning in its surroundings and in key views. Although no visualisations have been produced, the severity of impact on the settings of the monuments is likely to be such that we would object to the scheme in its current form and alignment. Wide photomontages from all three sites, including others showing key views towards them should be provided and impacts should then be assessed. Significant impacts should be avoided by mitigation by design.

Rinsary, homestead 500m WNW of, Berriedale (SM3473)
The setting of this monument includes its relationship with the lands surrounding it that would have supported its occupants. It has important views downslope towards the Berridale Burn and east towards the sea, the hillslopes uphill form an important backdrop to inward and outward views. The existing OHL passes close to the east of the monument and an existing pylon is positioned just 85m from the centre of the monument, directly blocking the view to the sea.

The proposed new OHL would be positioned within 38m to the west of the monument. The monument would end up being cut off from all outward and inward views and dominated by lines and pylons on both sides. This would result in a cumulative impact on its setting of a severity such that we would be likely to object to the scheme in its current form and alignment. 360° photomontages are required, the impacts should be assessed and any significant impacts avoided by design.

Any variation of the OHL within the corridor would need to take account of monuments on either side of it: Tulloch Bad a'Choilich, hut circles, settlements and cairns 400m ENE of (SM3475) and Rinsary, broch and post-medieval farmstead 300m SSW of Berridale (SM577). Appropriate assessment and visualisations would be required should this be explored.

Cnoc Fionn, hut circle 250m SW of (SM3559) and Cnoc Fionn, hut circle 250m SSW of (SM3537)

These monuments both lie within the corridor on the opposite side of Berridale Glen to Rinsary homestead. As the current potential alignment would run along and close to the line of the existing OHL in eastern views from both monuments, it is unlikely that it would result in substantially additional impacts on their settings. However, should the lines move westwards within the corridor the potential for significant impacts is likely to increase. Photomontages, assessments and avoidance of impacts would then be required.

Langwell Tulloch, broch 400m SE of Turnal Rock (SM3441)

This monument is situated close to the confluence of the Turnal Burn with the Langwell Water. Its setting includes its relationships to the Langwell Water and the lands either side. The existing 275kV OHL is routed around 50m east of the broch, with the nearest pylon footed around 150m upslope. This compromises eastern and southern outward views from the monument and reciprocal inward views. The proposed 400kV OHL would be immediately on the other side of the monument. All views related to the monument would be completely severed and it would be entirely surrounded and dominated by a pair of OHLs. This would be a significant adverse impact on the monument's setting. 360° photomontages of outward views from the monument as well as showing inward views from the south, west and east are required in order to inform the assessment. Mitigation by design to avoid these impacts should be undertaken.

Turnal Rock, hut circle complex 250m NW of Langwell Tulloch Broch (SM13631)

The proposed 400kV OHL would come considerably closer to Turnal Rock, hut circle complex 250m NW of Langwell Tulloch Broch (SM13631) than the existing OHL. Whilst it is possible that these impacts could be accommodated into this monument's setting without substantial additional impacts, this needs to be supported by photomontages showing outward views from it. Any proposals to move the line further west within the corridor will need to take this monument into account in order to avoid significant impacts occurring, and appropriate visualisations will need to be provided. Such a move could also bring it closer to Tulloch Turnal, broch 500m WNW of Turnal Rock, Langwell (SM3440), so this too should be considered in relation to any westward realignment.

Any movement of the line further east could have similar consequences for Borgue Langwell, homestead 150m NW of broch, Berridale (SM525) and Borgue Langwell, broch, outworks and later settlement, Berriedale (SM524).

Cnoc Bad Asgaraidh, chambered cairn 570m E of, Langwell (SM423)
This monument is the remains of a prehistoric chambered cairn situated close to the confluence of the Allt Bad Asgaraidh and Langwell Water. It appears to have had two chambers aligned with the broad east-west axis of the cairn. The setting of the monument includes a strong visual relationship with the river below, with axial outward views looking eastwards contributing to the cultural significance of the monument.

The proposed 400kV OHL would cross the valley of the Langwell Water around 400m east of the cairn when viewed along the axis of the chambers. As such, there is a high potential that the OHL would sever the visual relationship that the monument has looking east down to the river valley below. This would represent an adverse impact on the character of the setting of the monument. However, it is not possible to assess the severity of that impact in the absence of visualisations. Photomontages will be required, along with an assessment and any necessary mitigation to reduce or remove significant impacts.

Allt a'Bhurg, broch, Ord of Caithness (SM515)
The potential alignment would take the new line to the north of the existing OHL where it crosses Ousdale Burn. However, the corridor sits very close to Allt a'Bhurg, broch, Ord of Caithness (SM515), which has an evocative and remote setting and is widely promoted and visited. Any realignment closer to the monument than the existing would have significant adverse impacts on the integrity of this monument's setting and be of such significance that we might object. Photomontages showing views out from the broch, full assessment of impacts and mitigation to avoid significant impacts would then be required.

Lothbeg Bridge, long cairn 210m ESE of (SM1808)
Two route corridor options are suggested around and south of Helmsdale. The southern route is unlikely to result in any significant historic environment impacts as there are few scheduled monuments along this stretch. The only possible exception is at Lothbeg Bridge, long cairn 210m ESE of (SM1808). Provided the new OHL stayed north of the existing this would be unlikely to result in any significant additional impacts on this monument's setting. We would recommend this route be reconsidered.

The northern alternative route, which seems to be the preferred option would, however, be likely to result in a series of significant impacts on scheduled monuments' settings, that would be likely to result in an objection should this option be progressed in its current form.

Caen, long cairn 460m NNW of (SM1771), Caen, long cairn and round cairn 470m and 490m W of (SM1770) and Caen, long cairn 530m NW of, Helmsdale (SM432)
These monuments comprise a group of prehistoric chambered burial cairns lying close to the confluence of the Caen Burn and the River Helmsdale, on upland hillslopes at the boundary between fertile river valley and upland. Their settings include their relationship to one another, as well as key outward and inward views to and from the river valley below, towards the south and east, with the sea just visible beyond Helmsdale.

The potential alignment would cross the valley immediately in front of this group of monuments, dominating them, undermining their prominence in their surroundings and severing their relationship with the valley and sea to the east.

The draft visualisation provided to HES for first long cairn depicts a pylon clearly in the view along the long cairn towards the river valley below it. This would have a significant adverse impact on its setting. The proposed alternative option suggested would relocate this pylon further south, allowing the pylon to have topography behind it when viewed from this monument. This arrangement brings the overhead lines lower within aspects of the view shown. This represents a slight lessening of impacts on the setting of the monument. However, is not clear what is happening on either side of the limited visualisation we have seen to date, or what the scope and scale of the impacts might be. Planar photomontages will be needed in order to understand the full scale of impacts.

For the second of these monuments, the draft visualisations for the ‘as shown’ option and ‘proposed alternative’ option are very similar, showing a pylon in the view along the long cairn towards the river valley, although the ‘proposed alternative’ option is marginally better as more of the pylon has topography behind it within that view. However, again, given the limited scope of the imagery provided, it is not clear what is happening on either side of the image, or what the scope and scale of the impacts might be. Planar photomontages will be needed in order to understand the full scale of impacts.

For the third monument, the draft visualisation for the ‘as shown’ option depicts just overhead lines crossing the view towards the river valley, with pylons to the left and right out of shot. The ‘proposed alternative’ option has a pylon directly in the centre of this key view, as a result of the pylon being moved south to lessen the impact on the adjacent long cairn to the north. This ‘proposed alternative’ represents a worsening of impacts on the setting of the monument. However, again, given the limited scope of the imagery provided, it is not clear what is happening on either side of the image. Planar photomontages will be needed in order to understand the full scale of impacts.

The severity of impact on the integrity of the setting of these three monuments is likely to be such that we would object to the scheme in its current form and alignment.

Carn Burn West, 935m WNW of Caen (SM13647) and the cairns at Kilphedir, hut circles & chambered cairns 700m E of (SM290) are likely to be an extension of this group, emphasising the relationship between them and the routeway up the Helmsdale Burn. Along with Salscraggie Lodge, souterrain 40m SW of (SM1884), Kilphedir, hut circle 740m ESE of (SM2814) and Eldeble, broch SW of (SM1863), Carn Burn West sits within

the northern route corridor. Any use of this corridor option would have to consider and seek to avoid impacts upon them or their settings. Kilphedir, hut circles & field system 150m-600m E of (SM2809) sits immediately outwith this alignment and would also have to be brought into any consideration of impacts should this corridor be used.

Clach Mhic Mhios, standing stone, Glen Loth 4000m N of Lothbeg Bridge (SM1778)
This monument is a substantial standing stone positioned close to the head of Glen Loth. The monument has a setting that is very sensitive to change. It has been suggested that this monument has a visual relationship with the skyline to the south-south-west, between the hills of Creag Riabhach and Creag a Chrionaich, and astronomical alignments beyond, including a specific notch in the skyline to south-south-west, thus marking key moments within the astronomical calendar such as midwinter sunset. Unfettered visual links between this monument and the key skyline are therefore critical to maintaining the monument within an appropriate setting.

The monument sits close to the middle of the corridor and the proposed 400kv OHL would pass directly to the east and south of the standing stone, coming within 250m from the monument at its closest. The line would be highly visible throughout the glen and over the skyline. The draft visualisations show that whilst the majority of the OHL would be below the critical skyline, it would be close enough to dominate those views and distract from the relationship with the important skyline. Those pylons closest to the monument would also protrude above the skyline and would detract and diminish from an understanding and appreciation of this key aspect of its setting. We understand that the design team have considered a slight alteration to this alignment which would drop the pylons below much of the skyline when looking south from the monument, although they would still be very dominant in these outward views and cross the skyline very close to the notch. Whilst this would be an improvement, it is likely that this alignment would still detract from and diminish an understanding and appreciation of the setting of the monument, and the severity of impact is likely to be such that we would object to the scheme in its current form and alignment. Planar photomontages showing views from the monument are required.

Carn nan Uaigh, prehistoric settlement (SM13627)
The proposed 400kV OHL here would also pass very close to Carn nan Uaigh, prehistoric settlement (SM13627), which also sits within the corridor. No visualisations have been provided to demonstrate the scale of impacts. Given the proximity of the development here, adverse impacts on its setting seem likely. Planar photomontages should be provided and consideration should be given to this monument in any design updates.

Carrol, fish farm 430m SE, 410m SSE, 660m and 890m SW of (SM13617) and Carrol, broch 600m SSW of, Loch Brora (SM1846)
The corridor contains two scheduled monuments as it crosses Loch Brora, including Carrol, fish farm 430m SE, 410m SSE, 660m and 890m SW of (SM13617), which incorporates multiple separated areas, and Carrol, broch 600m SSW of, Loch Brora (SM1846). However, the proposed 400kV OHL crosses further to the north. The northern route would not result in significant impacts on these monuments or their settings.

Should the corridor be reconsidered then care should be taken to avoid the scheduled areas, to not oversail or dominate them and to maintain the relationship between the broch and the views down to and over the loch and lochside. If this is the case, photomontages should be provided.

East Kinnauld School, broch NE of (SM1862) and East Kinnauld, fort 1000m NE of Eiden (SM1861)

Two corridor options are shown for the crossing of the River Fleet, with the potential alignment passing from the eastern extremity of the corridor to the east of the river to the western extremity of the corridor for the northern route.

The potential alignment would pass very close to the east of East Kinnauld School, broch NE of (SM1862), a well-preserved Iron Age broch positioned on a rocky hillock high up above the Fleet Estuary, and East Kinnauld, fort 1000m NE of Eiden (SM1861), a fort of likely Iron Age date positioned on the summit of a commanding bluff overlooking the Fleet Estuary below. The two monuments are intervisible and have extensive views out in all directions. Their setting is one of prominence and dominance, with reciprocal views over the surrounding lower lying ground, oversight of movement up and down the estuary and wider views out to sea.

An existing OHL sits immediately to the west of the fort. The proposed 400kV OHL would be around 200m east of the broch. Both monuments would become enclosed by the lines as well as physically and visually separated from their surroundings. The draft visualisations provided to HES show a proposed pylon immediately to the south-east of the broch that would be footed directly in line with the narrow view from the broch to the sea beyond, blocking this key outward view. The draft visualisations from the fort show the proposed OHL crossing the key view east along the estuary. 360° photomontages from both monuments will be required. However, the severity of impact is likely to be such that we would object to the scheme in its current form and alignment.

Carn Liath, cairn & chambered cairn 1200m WNW of Torboll (SM1772)

The potential alignment would pass just in front of the existing OHL as it passes Carn Liath, cairn & chambered cairn 1200m WNW of Torboll (SM1772). It seems likely that these views have already been compromised and the new 400kV OHL would not substantially add to existing impacts, but this needs to be substantiated by a photomontage. Carn Liath sits in both corridor options. Should either be explored further potential impacts should be considered and avoided.

Along with Carn Liath, Loch a'Bhiocair, two hut circles and clearance cairns 800m NW of (SM1822) sits within the southern corridor here, with Morvich Lodge, cairns, hut circles & clearance cairns 400m E of (SM1809) sitting immediately outside it. Should this southern option be reconsidered then impacts on these monuments should be assessed and impacts both demonstrated and significant impacts avoided by design.

Inversin Primary School, settlement 600m E of (SM5498), Inversin Farm, settlement and burnt mound 1200m E of (SM5470) and Inversin Farm, settlement and burnt mound 500m E of (SM5497)

Both the potential and alternative alignments and the corridor pass very close to a number of monuments near Inversin: Inversin Primary School, settlement 600m E of (SM5498), Inversin Farm, settlement and burnt mound 1200m E of (SM5470) and Inversin Farm, settlement and burnt mound 500m E of (SM5497). These sit between 50m and 100m from both options. It seems likely that the settings of all of these are likely to be affected by the proposals due to sheer proximity. Photomontages are required in order to understand what the full scale of impacts might be.

Inversin Farm, standing stone 220m ENE of (SM1791)

This monument is a pair of prehistoric standing stones situated on the river terrace of the Kyle of Sutherland. One is upstanding, whilst the other is prone and mostly buried. Standing stones, whilst typically ritual in origin, are often positioned adjacent to routeways. Their visibility forms part of their setting.

The draft visualisations received by HES show that the proposed 400kv OHL would cross the Kyle of Sutherland around 350m south of the monument. An existing 132kv runs broadly parallel with the estuary and thus at right angles to the proposed line. Cumulatively these impacts would be a significant, additional and clearly visible detraction from the stones' setting. They would therefore be an adverse impact on the character of the setting of the monument. 360°photomontages are required to demonstrate the scale of impacts.

Battle of Carbisdale (BTL19)

This site comprises the Inventory Battlefield site of Carbisdale where in 1650 a Royalist army led by Montrose was defeated by the Covenanters. The battlefield includes low ground next to the river south of Carbisdale Castle and was constrained by steep wooded slopes to the west and north within which part of the eventual rout took place. The high ground and woodlands to the north and west of the battlefield thus play an important role in understanding how the battle unfolded.

The potential alignment is routed around and just outwith the northern and western edges of the battlefield. Whilst it is likely that the steep topography and wooded margins of the battlefield would remain capable of being understood and appreciated, it is not possible to establish the severity of impacts on the character of the battlefield landscape in the absence of visualisations. Photomontages from key points within the battlefield will be required.

The corridor here, however, encroaches directly into the battlefield and impacts would need to be fully assessed, including those on buried archaeology and other remains, were the line to shift further east.

Boath, three chambered cairns NE and NNE of Easter Ballone Farm (SM6644)

The potential alignment would pass close to Boath, three chambered cairns NE and NNE of Easter Ballone Farm (SM6644). It seems likely that the line would be absorbed into

wider views from and to the cairns but this needs to be substantiated by photomontages from the three cairns. Should the line shift further east within the corridor then the potential for significant impacts is likely to increase. Care will need to be undertaken to prevent this and be informed by a full assessment.

Balnacrae, chambered cairn 230m WSW of (SM2396)
This monument is a Neolithic chambered cairn positioned on the north-west slopes of Strath Sgitheach. Its chamber is aligned along the contours of the slope, broadly north-east to south-west. Its setting includes key outward and inward views along its axis to the river valley below.

The draft visualisations show that the proposed 400kV OHL would pass close to and downslope of the cairn. This would be likely to separate the monument from its relationship to Strath Sgitheach and the river below. The severity of impact is likely to be such that we would object to the scheme in its current form and alignment. Photomontages will be required in order to fully assess the level of impacts and inform mitigation by design to avoid such significant impacts.

Strath Sgitheach, settlement NW of Cnoc a'Mhuillinn (SM10495) and Firth View, settlement 1300m NW of (SM4728)
The potential alignment would pass immediately to the north of Strath Sgitheach, settlement NW of Cnoc a'Mhuillinn (SM10495) and Firth View, settlement 1300m NW of (SM4728), while an alternative alignment crosses directly through them. It is not likely that scheduled monument consent would be granted for any pylons within the scheduled areas. The proposed OHL is shown directly oversailing both monuments, with pylons footed in close proximity to the scheduled areas. The alternative route would be likely to oversail and dominate these monuments through the level of proximity. It is not clear how much the potential alignment might impact upon their settings. Planar photomontages will be required along with a full assessment.

Loch Kinellan, crannog (SM3987)
The proposed 400kV OHL passes to the west of the bowl of land surrounding Loch Kinellan, crannog (SM3987). It seems likely that in this location the OHL could be accommodated into wider outward views but this needs to be demonstrated by a photomontage. Should the line move further east within the corridor the potential for significant impacts is likely to increase. Care should be taken to understand, assess and avoid significant impacts on the setting of this asset.

Dun Garbhlaich, fort, Kilmorack (SM2422), Dun Mor, fort (SM4979), Dun Fhamhair, fort (SM5212) and Dun a Chliabhain, fort (SM2424)
There is a collection of similar Iron Age sites at the southern end of the route corridor where it threads its way from Loch nam Bonnach to the Breakachy area. Dun Garbhlaich, fort, Kilmorack (SM2422) and Dun Mor, fort (SM4979) are located closest to the proposed 400kV OHL and within the corridor, with Dun Fhamhair, fort (SM5212) and Dun a Chliabhain, fort (SM2424) positioned slightly further away. The sites are forts and are all situated on rocky knolls in dominant positions. They were designed to be intervisible as much as they were to dominate the surrounding area. Whilst Dun Fhamhair is a slight

outlier and probably only has a visual relationship with Dun a Chliabhain, the latter monument and Dun Garbhlaich and Dun Mor all have intervisibility with one another.

The proximity of the OHL suggests that it likely that the line would detract from the deliberate prominence of each monument and diminish the sense of control and authority that each monument has over the lands and routeways. The draft visualisations provided separately to HES show that the proximity to Dun Garbhlaich and Dun Mor in particular is likely to have an adverse impact on their settings of a severity that is likely to be such that we would object to the scheme in its current form and alignment. The draft visualisations are less helpful in assessing likely impacts on key views from Dun Fhamhair and Dun a Chliabhain looking towards the other forts. Photomontages showing outward views from all four monuments and key inward views of them will be required to fully understand the full scale of impacts and any required mitigation by design.

Category A listed buildings and Inventory gardens and designed landscapes

We welcome the proposal to assess the impact on the following assets:

- Coul House Hotel formerly Coul House (LB1769)
- Fairburn Inventory Garden and Designed Landscape (GDL00174)
- Fairburn Tower (LB14030)

Since October 2023 we have provided additional advice which noted that the following heritage assets are unlikely to experience significant adverse impacts:

- Achingale Mill (LB14976)
- Dunbeath Castle (LB7936)
- Dunbeath Castle Inventory Garden and Designed Landscape (GDL00150)
- Helmsdale Bridge (LB7193)
- Loth Parish Church (LB7149)
- Foulis Castle (LB7911)
- Tulloch Castle, Caisteal Gorach (LB24520)
- Castle Leod (LB7826).
- Novar (GDL00303);
- Castle Leod (GDL00094).
- Contin Bridge over River Black Water (LB1789)

We are content with these assets being scoped out of assessment at this stage. However, if the proposed route were to be altered, we would expect them to be reassessed. For the Shin Viaduct near Kyle of Sutherland (LB279) we have previously identified that impacts may not raise issues of national interest but noted that visibility is still highly likely. It would therefore be helpful if justification can be provided should it be determined to scope out entirely the potential impacts on the setting of this asset.

Scoping report

We welcome that chapter 9 of the Scoping Report states that direct physical impacts, indirect impacts, impacts on the setting of assets and cumulative impacts will be assessed. We recommend that an appropriate cultural heritage assessment methodology such as that laid out in Appendix 1 of the EIA Handbook is used for the assessment and we welcome the references to the EIA Handbook and to our Managing Change guidance series. We welcome that field surveys are being carried out and we recommend that site visits to assess the potential impacts on the settings of assets are also carried out.

We note that section 9.2 on consultation refers to initial consultation with HES in October 2023. As noted above we have undertaken considerable further consultation with SSEN regarding the proposals since October 2023 and have provided more up to date and detailed advice on the assets within our remit, particularly in our response to the alignment consultation dated 29 July 2024. Our detailed comments above relate to the assets most likely to be affected by the most recent information provided to us including draft visualisations provided in October 2024 and may therefore represent different assets to some of those identified in the scoping report baseline section based on our October 2023 response.

Section 9.5 indicates that a 10km study area is being proposed for the identification of assets which may receive impacts to their settings. We do not generally recommend the use of a specific radius for this purpose. As indicated above, we generally recommend that a ZTV is used in the first instance to identify assets which may receive impacts and any assets which might themselves fall outwith the ZTV but where important views towards them may have visibility of the turbines in the background of the asset. We welcome that section 9.8.4 confirms that a ZTV will be used to identify assets that may receive impacts to their setting.

We are broadly content with the list of issues identified in section 9.6 to be scoped out of detailed assessment and with the potential significant effects in section 9.7 with the caveat that while setting impacts are often visual, other factors can also affect heritage assets as explained in our Managing Change guidance note on setting.

We have reviewed the baseline information included in the Scoping Report and are broadly content that the assessment identifies some of the historic environment assets which may be affected by the proposed development, both within and outwith the proposed route. We note that the key assets identified are based on our comments of October 2023 and we have included additional sites above that are not currently highlighted in the Report as we have provided additional advice since October 2023 based on more updated design material. It may be possible to exclude some assets at a later stage once a ZTV has been produced.

We welcome that provision of visualisations to demonstrate potential impacts on the setting of historic environment assets is proposed. Although we recognise that it may not be possible to produce visualisations for every site, we would advise that attention is

given to certain sites where this is likely to be particularly relevant. We have provided more detail on this in the comments above. We have been provided with a series of computer 3D visualisations as part of the ongoing consultation process. These only provide an approximation of what the impacts might be. They only show a limited approximation of the topography and other aspects of views and only show very limited scope of views. They do not, therefore, allow a thorough assessment of impacts in the way that a full photomontage, carried out to industry standards, would. In most cases, full photomontages, often using a 360° or planar view, will be required in due course.

We welcome that the potential requirement for mitigation measures is identified within the Scoping Report at section 9.8.8 and 9.8.9. Such measures should be considered at an early stage so that they can be incorporated into the design of the project to avoid significant impacts rather than relying on off-setting or compensatory mitigation.

We understand that a Limit of Deviation (LOD) of around 100m laterally and 9m vertically surrounding the proposed line and each pylon base is being proposed so as to allow for micro-siting. We wish to reinforce at this stage that micro-siting mechanisms with LODs are not likely to be an appropriate way to address setting impacts on scheduled monuments, as these could result in increases in impacts. LODs will therefore need to be significantly reduced where pylons are proposed near designated assets. In most cases, mitigation through avoidance of impacts should be the primary consideration.

We note that section 9.8.7 states that cumulative effects of the proposed development will be assessed and we welcome this confirmation given the potential for significant cumulative effects, particularly in areas around existing and proposed substations and existing transmission infrastructure.

We welcome that sections 9.8.2 and 9.9.2 state that consultation with HES and the Councils will continue to identify and address issues as they arise and confirm approaches to mitigation. We will be happy to continue to engage with the applicants as the project progresses.

Historic Environment Scotland
13 December 2024

Lee Stirrat
Energy Consents Unit
Scottish Government

By email only to: Econsents_Admin@gov.scot

Our Ref: PCS-20003494
Your Ref: EC00006008

SEPA Email Contact:
planning.north@sepa.org.uk

31 October 2024

Dear Lee Stirrat

Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
EC00006008
SCOPING OPINION Spittal – Loch Buidhe – Beauly 400 kV OHL Connection
Approximately 167 km, between new proposed substations at Spittal (Banniskirk), Loch Buidhe (Carnaig) and Beauly (Fanellan)

Thank you for consulting SEPA for an Environmental Impact Assessment (EIA) scoping opinion in relation to the above development. We welcome engagement with the applicant at an early stage to discuss any of the issues raised in this letter and would especially welcome further pre-application engagement once initial peat probing, peat condition assessment and habitat survey work has been completed and the layout developed further as a result.

Our position and advice, given below, is based on the determining authority ultimately determining that the proposal is classed as development that could be supported for the purposes of assessment under Policies 5 and 22**,** as defined in National Planning Framework 4. If this is not the case, please advise so we can re-consider our position and advice.

Advice for the planning authority / determining authority

To **avoid delay and potential objection** the EIA submission must contain a series of scale drawings of sensitivities, for example peat depth, peat condition, Groundwater Dependent Terrestrial Ecosystems (GWDTE), proximity to watercourses, overlain with proposed development. This is necessary to ensure the EIA process has informed the layout of the development to firstly avoid, then reduce and then mitigate significant impacts on the environment. We request that the issues covered in Appendix 1 below, be addressed to our satisfaction in the EIA process. This provides details on our information requirements and the form in which they must be submitted.

Regulatory advice for the applicant

Details of regulatory requirements and good practice advice, for example in relation to engineering works in the water environment and waste management, can be found on the regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the local compliance team at: nhni@sepa.org.uk

If you have queries relating to this letter, please contact us at planning.north@sepa.org.uk including our reference number in the email subject.

Yours sincerely,

Zoe Griffin
Senior Planning Officer
Planning Service

Ecopy to: lee.stirrat@gov.scot

Disclaimer: This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the

same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our website planning pages - www.sepa.org.uk/environment/land/planning/

Appendix 1: Detailed scoping requirements

Please note that some of the planning guidance referenced in this response is being reviewed and updated to reflect the National Planning Framework 4 (NPF4) policies. For example the Flood Risk Standing Advice and Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems. It still provides useful and relevant information, but some parts may be updated further in the future.

This appendix sets out our minimum information requirements and we would welcome discussion around these prior to formal submission to avoid delays. There may be opportunities to scope out some of the issues below depending on the site. Evidence must be provided in the submission to support why an issue is not relevant for this site. If there is a significant length of time between scoping and application submission, the developer should check whether our advice has changed.

1. Site layout

1.1 Each of the drawings requested below must detail all proposed upgraded, temporary and permanent infrastructure. This includes all tracks, excavations, buildings, borrow pits, cabling, site compounds, laydown areas, storage areas and any other built elements. All drawings must be based on an adequate scale with which to assess the information.

1.2 The layout should be designed to minimise the extent of new works on previously undisturbed ground and existing built infrastructure must be re-used or upgraded where possible.

1.3 A comparison of the environmental effects of alternative locations of infrastructure elements may be required.

2. Water environment

2.1 The proposals should demonstrate how impacts on local hydrology have been minimised and the site layout designed to minimise watercourse crossings and avoid other direct impacts on water features. Measures should be put in place to protect any

downstream sensitive receptors.

2.2 The submission must include a set of drawings showing:

a) All proposed temporary or permanent infrastructure overlain with all lochs and watercourses;

b) A suitable minimum buffer around each loch or watercourse (please refer to SEPA Recommended Riparian Corridor maps) .

2.3 Further advice and our best practice guidance are available within the water engineering section of our website. Guidance on the design of water crossings can be found in our Construction of River Crossings Good Practice Guide.

3. Flood risk

3.1 Advice on flood risk is available at Flood Risk Standing Advice and reference should also be made to Controlled Activities Regulations (CAR) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities.

3.2 Crossings must be designed to accommodate the 0.5% annual exceedance probability flows (with an appropriate allowance for climate change), or information provided to justify smaller structures.

3.3 If it is considered the development could result in an increased risk of flooding to a nearby receptor, then a flood risk assessment (FRA) must be submitted. Our Technical Flood Risk Guidance for Stakeholders outlines the information we require to be submitted in an FRA.

4. Peat and peatland

4.1 Where proposals are on peatland or carbon rich soils (CRS), the following should be submitted to address SEPA's requirements in relation to NPF4 Policy 5 to protect CRS and the ecosystem services they provide (including water and carbon storage). Peatland in near natural condition generally experiences low greenhouse gas emissions, is accumulating and may be sequestering carbon, has high value for supporting biodiversity, helps to protect water quality and contributes to natural flood

management, irrespective of whether that peatland is designated for nature conservation purposes or not.

4.2 It should be clearly demonstrated that the assessment has informed careful project design and ensured, in accordance with relevant guidance and the mitigation hierarchy in NPF4, that adverse impacts are first avoided and then minimised through best practice.

4.3 The submission should include a series of layout drawings at a usable scale showing all permanent and temporary infrastructure, with extent of excavation required. These plans should be overlaid on the following:

a) Peat depth survey showing peat probe locations, colour coded using distinct colours for each depth category. This must include adequate peat probing information to inform the site layout in accordance with the mitigation hierarchy in NPF4, which may be more than that outlined in the Peatland Survey – Guidance on Developments on Peatland (2017);

b) Peat depth survey showing interpolated peat depths;

c) Peatland condition mapping – the Peatland Condition Assessment photographic guide lists the criteria for each condition category and illustrates how to identify each condition category.

4.4 The detailed series of layout drawings above should clearly demonstrate that development proposals avoid any near natural peatland and that all proposed excavation is on peat less than 1m deep.

4.5 The layout drawings should also demonstrate that peat excavation has been avoided on sites where this is possible. On other sites where complete avoidance of peat and carbon rich soils is not possible then it should be clearly demonstrated that the deepest areas of peat have been avoided and the volumes of peat excavated have been reduced as much as possible, first through layout and then by design making use of techniques such as floating tracks.

4.6 The Outline Peat Management Plan (PMP) must include:

a) A table setting out the volumes of acrotelmic, catotelmic and amorphous peat to be excavated. These should include a contingency factor to consider variables such as bulking and uncertainties in the estimation of peat volumes;

b) A table clearly setting out the volumes of acrotelmic, catotelmic and amorphous excavated peat: (1) used in making good site specific areas disturbed by development, (2) used in on and off site peatland restoration, and (3) disposed of, and the proposed means of disposal (if deemed unavoidable after all other uses of excavated peat have been explored and reviewed);

c) Details of proposals for temporary storage and handling of peat - Good Practice during Wind Farm Construction outlines the approach to good practice when addressing issues of peat management on site and minimising carbon loss;

d) Suitable evidence that the use of peat in making good areas disturbed by development is genuine and not a waste disposal operation, including evidence on the suitability of the peat and evidence that the quantity used matches and does not exceed the requirement of the proposed use.

e) Use of excavated peat in areas not disturbed by the development itself is now not a matter SEPA provides planning advice on. Please refer to Advising on peatland, carbon-rich soils and priority peatland habitats in development management | NatureScot 2023, and the Peatland ACTION – Technical Compendium which provides more detailed advice on peatland restoration techniques. Unless the excavated peat is certain to be used for construction purposes in its natural state on the site from where it is excavated, it will be subject to regulatory control. The use of excavated peat off-site, including for peatland restoration, will require the appropriate level of environmental authorisation. Excavated peat will be waste if it is discarded, or the holder intends to or is required to discard it. These proposals should be clearly outlined so that SEPA can identify any regulatory implications of the proposed activities. This will allow the developer and their contractors to tailor their planning and designs to accommodate any regulatory requirements. Further guidance on this

may be found in the document Is it waste - Understanding the definition of waste.

5. GWDTE and existing groundwater abstractions

5.1 Groundwater Dependent Terrestrial Ecosystems (GWDTE) are protected under the Water Framework Directive. Excavations and other construction works can disrupt groundwater flow and impact on GWDTE and existing groundwater abstractions. The layout and design of the development must avoid impacts on such areas.

5.2 A National Vegetation Classification (NVC) survey should be submitted which includes the following information:

a) A set of drawings demonstrating all GWDTE and existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. The survey needs to extend beyond the site boundary where the distances require it.

b) If the minimum buffers cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. Please refer to Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for further advice and the minimum information we require to be submitted.

5.3 Please note that due to discrepancies in habitat definition and ambiguity in correspondence with NVC types we do not accept the use of The UK Habitat Classification System (UKHab) as an alternative to NVC.

6. Forest removal and forest waste

6.1 If forestry is present on the site, the site layout should be designed to avoid large scale felling, as this can result in large amounts of waste material and a peak in release of nutrients which can affect local water quality.

6.2 The submission must include drawings with the boundaries of where felling will take place and a description of what is proposed for this timber in accordance with Use of

Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS.

7. Pollution prevention and environmental management

7.1 The submission must include a schedule of mitigation, which includes reference to best practice pollution prevention and construction techniques (for example, limiting the maximum area to be stripped of soils and peat at any one time) and regulatory requirements. Please refer to the Guidance for Pollution Prevention (GPPs) and our water run-off from construction sites webpage for more information.

Lee Stirrat
Case Manager
Energy Consents Unit
The Scottish Government
Submitted by email to: EconsentsAdmin@gov.scot

05 December 2024
Our ref: **CEA177688**

Dear Mr Stirrat,

Electricity Act 1989
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

Request for Scoping Opinion for Proposed Section 37 Application for Spittal to Loch Buidhe to Beauly 400 kV Overhead Line Connection

Thank you for your consultation of 29 October 2024 and for offering us additional time in which to respond.

Background

The Applicant (SSEN) has liaised closely with us throughout the pre-application development stages of this project. We remain actively engaged with SSEN in addressing several key issues that we refer to below.

Summary

The scale and nature of this proposal is such that its effects on important natural heritage have potential to be significant. The Applicant's Scoping Report recognises this and sets out clearly the scope of assessment. We agree with the issues the Applicant intends to scope in and out.

We recognise that the proposal falls within the National Planning Framework (NPF4) list of national developments. **We will consider objecting if the impacts raise issues of national interest**

that cannot be adequately mitigated. We would do so in accordance with our guidance on Identifying Natural Heritage Issues of National Interests in Development Proposals: https://www.nature.scot/doc/guidance-notice-no-019-identifying-natural-heritage-issues-national-interest-development-proposals

The proposal will affect many natural heritage interests but our focus in response to the Scoping Report is on the issues where we consider that there is greater risk that impacts on important natural heritage interests may raise issues of national interest.

SSEN have been unable to identify a route that avoids crossing the Caithness and Sutherland Peatlands Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site, and the Flow Country World Heritage Site (WHS). Direct and indirect effects on priority peatland habitats and its associated flora and fauna are therefore likely and could be significant. Several areas of upland where carbon-rich soils, deep peat and priority peatland habitat are also likely to be present as identified as Class 1 and 2 through NatureScot's Carbon and Peatland map 2016.

Breeding hen harrier and capercaillie are the qualifying interests of Strath Carnaig and Strath Fleet Moors SPA and Novar SPA respectively and the proposal route travels through the former and close to the latter. Direct and indirect effects on these species and their supporting habitats could be significant and mitigation to address impacts will likely be required.

Strathfleet Site of Special Scientific Interest (SSSI) is traversed by the overhead line and there is a risk of damage to its geological interest which is bedrock (Moine). Whilst it is hoped that infrastructure could be sited to avoid significant adverse effects, it may not be possible to entirely avoid an effect on the SSSI's integrity.

Our Advice

Protected areas

The protected areas listed below are those that we currently consider are at greatest risk of significant effects, and where standard mitigation alone may be insufficient to avoid adverse effects. In Annex A we set out the legislative approach to assessing effects on protected areas.

- Caithness and Sutherland Peatlands SAC
- Caithness and Sutherland Peatlands SPA
- Caithness and Sutherland Peatlands Ramsar site
- Flow Country WHS
- Strathfleet SSSI – Moine geology
- Strath Carnaig and Strath Fleet Moors SPA (and SSSI) – breeding hen harrier
- Novar SPA – breeding capercaillie

We also consider that appropriate survey work will be required to inform the assessments for Special Protection Areas for non-breeding wintering geese, waterfowl and swan species and Special Protection Areas for breeding osprey.

More refined potential alignment options published by SSEN in May 2024 have enabled us to rationalise the list of protected areas at greatest risk, so whilst the Preferred Route presented in support of the Scoping Opinion overlaps with several other protected areas (not listed above), we have been able to ascertain that it is less likely that these would be directly affected, based on the more refined Alignment Options. There is still a risk of indirect effects which, it is hoped, that the Applicant's suite of General Environmental Management Plans (GEMPs) and Species Protection Plans (SPPs) and Construction environmental Management Plan (CEMP) would largely mitigate significant effects.

Peatland and carbon-rich soil

The route has been selected, where possible, to avoid priority peatland habitat as mapped through NatureScot's Carbon and Peatland 2016 mapping but there are still sections of OHL that cross areas of mapped Class 1 and Class 2 peatland where impacts on priority peatland and carbon-rich soils are more likely. Detailed studies will be required to determine its quality and sensitivity, and we provide guidance on this in Annex A.

Landscape and visual amenity

The OHL through route sections C and D passes close to the Dornoch Firth National Scenic Areas (NSA). The OHL Route is close to, but avoids entering, Wild Land Area 29 - Rhiddoroch - Beinn Dearg - Ben Wyvis but does cross a section of WLA 36 - Causeymire -Knockfin Flows.

We agree with the Applicant's approach to assessing effects on landscape and visual amenity as set out in their Scoping Report, chapter 6.

Protected species and birds in the wider countryside

We have provided SSEN with details of any specific species records we are aware of and directed them to our online Standing Advice. We agree with their proposed scope of assessment.

Concluding remarks

We will continue to engage proactively with the Applicant to ensure that the right information supports the application to inform decisions.

The advice in this letter is provided by NatureScot, the operating name of Scottish Natural Heritage and is given without prejudice to a full and detailed consideration of the impacts of the proposal, should it be submitted as a formal application.

Please contact Kirsty North (Kirsty.north@nature.scot) and Jennifer Heatley (Jennifer.heatley@nature.scot) if you require any further information or advice.

Yours sincerely

Jennifer Heatley
Operations Officer - North
jennifer.heatley@nature.scot

cc. Tara Cowley, SSEN
Michael Kordas, Highland Council

Encs. Template for assessment of the OUV (Excell spreadsheet format)

Annex 1 – Assessing the effects on important natural heritage interests

Protected areas

Where the proposal has potential to affect **Special Areas of Conservation** (SACs) and **Special Protection Areas** (SPAs), the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the 'Habitats Regulations') apply. Consequently, The Scottish Government Energy Consents Unit is required to consider the effect of the proposal on the SACs and SPAs before it can be consented (commonly known as Habitats Regulations Appraisal). The NatureScot website has a summary of the legislative requirements (The Habitats Directive and Habitats Regulations)'.

Under the Habitats Regulations, all competent authorities must consider whether any plan or project could affect a European site before it can be authorised or carried out. This includes considering whether it will have a 'likely significant effect' on a European site, and if so, they must carry out an 'appropriate assessment' (AA). This process is known as Habitats Regulations Appraisal (HRA)

A competent authority must not authorise a plan or project unless it can show beyond reasonable scientific doubt – through an appropriate assessment – that the plan or project will not adversely affect the integrity of a European site.

A competent authority may wish to consent a proposal despite the potential for an adverse effect on site integrity. Where this is the case, it must first show that there are no alternative solutions, and that it is imperative, and of overriding public interest[1] to grant consent. Scottish Ministers must be consulted and any necessary compensatory measures must also be secured.

Where a plan or project is to proceed for imperative reasons of overriding public interest Scottish Ministers have a duty to secure any compensatory measures necessary to ensure the overall coherence of the UK site network is protected (regulation 53 of the Habitats Regulations).

Currently, where a **Ramsar** feature corresponds to a SSSI feature it will be treated as a SSSI feature; or where it corresponds to a European feature it will be treated as a qualifying interest of that European site. However, the Scottish Government is currently consulting on a proposed change in planning policy regarding Ramsar features. The proposal is to treat all natural features on Ramsar sites in the equivalent way to European sites for the purposes of the Habitats

[1] Where a priority habitat could be affected imperative reasons of overriding public interest are limited to those reasons outlined in regulation 49. These must relate to human health, public safety, beneficial consequences of primary importance to the environment, or any other imperative reason of overriding public interest subject to the opinion of the Scottish Ministers. **In assessing effects on Caithness and Sutherland Peatlands SAC, blanket bog is a priority habitat.**

Regulations Appraisal process. We anticipate that a decision on adoption of the proposed policy change will be made in 2025.

Our advice on proposed developments and **Sites of Special Scientific Interest (SSSIs)** will depend on the criteria set out in NPF4 Policy 4(c): *Development that affects a SSSI will only be supported where:*

- *the objectives of designation and the overall integrity of the area will not be compromised; or:*
- *any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.*

In addressing these criteria NatureScot will consider:

- impacts on the natural features of a site (direct and indirect)
- the extent to which impacts of a development might affect the condition of the site's natural features
- the permanence of the impacts
- impacts in combination with other proposals or activities
- our balancing duty.

Our guidance document Development Management and the Natural Heritage expands on the detail of this. https://www.nature.scot/doc/guidance-development-management-and-natural-heritage See in particular section 5.3.

There are sections of the route within the **Flow Country World Heritage Site (WHS)**. The site was inscribed as a WHS due to it being the most outstanding example of a blanket bog ecosystem globally. The Outstanding Universal Value (OUV) of the site encompasses several attributes including the blanket bog habitats and ecosystem processes. Where a proposal affects one or more of these attributes, this could result in impacts on the site's OUV. The Highland Council has produced a toolkit for developers to use in assessments to consider impacts to the WHS. The toolkit may be found at:
https://www.highland.gov.uk/directory_record/1979671/flow_country_candidate_world_heritage_site_planning_position_statement

This toolkit was developed prior to inscription of the Flow Country as a WHS and needs to be updated to reflect UNESCO's decision. The toolkit can still be used in the meantime but note there is now **no need** to consider assessment of criterion (x) as shown (species associations) in the toolkit. Assessment of impacts to the WHS only needs to consider criterion (ix) for peatland ecosystem quality, as this reflects UNESCO's decision.

We attach the Excel template for assessment of the OUV, this is based on the UNESCO guidance and toolkit for impact assessment in a world heritage context - https://whc.unesco.org/en/guidance-toolkit-impact-assessments/

Peatland and carbon-rich soils (outwith protected areas)

To help assess when a proposal could have a significant effect that NatureScot will consider as raising issues of national interest, we have developed an assessment framework based on guidelines for the selection of SSSI for bogs (see Annex 1 and Template) with our guidance Advising on peatland, carbon-rich soils and priority peatland habitats in development management (Revised November 2023).

Our main focus is on priority peatland habitat which is dependent on the supporting carbon-rich soils.

We request that the Template is completed by the applicant. We also request that if the development infrastructure (including a 250 m buffer) meets the criteria in the template, an additional map is provided showing these locations (e.g. *Sphagnum* species) in relation to the development. If available, shape files showing the location of infrastructure, NVC communities and peat depths should also be supplied to us to aid our assessment at the application stage or before.

The framework is a tool to assess the quality and therefore the sensitivity of a peatland affected by a proposal. It should be noted that the peatland does not need to meet all the criteria to be considered of a quality and sensitivity sufficient for impacts to raise issues of national interest. The combination of responses to these criteria will inform this assessment. The framework will also be used by NatureScot specialist advisers to consider if mitigation is sufficient to overcome the impacts.

20 November 2024

Dear Sir / Madam

ECU00006008 - Spittal to Loch Buidhe to Beauly 400 kV OHL Connection

PROPOSED DEVELOPMENT: SSEN Transmission is proposing to submit an application for permission under Section 37 of the Electricity Act 1989 to construct and operate a new 400 kilovolt (kV) overhead transmission line (OHL) supported by steel lattice towers over a distance of approximately 167 km, between new proposed substations at Spittal (Banniskirk), Loch Buidhe (Carnaig) and Beauly (Fanellan) in addition to rationalisation and crossing of the existing transmission network.

Response by Arqiva

We refer to the above planning application and thank you for the opportunity to comment on the above development.

Arqiva is responsible for providing the transmission network for the BBC & ITV along with the majority of the UK's radio companies and is responsible for ensuring the integrity of Re-Broadcast Links. Tall infrastructure such as wind turbines and other tall structures have the potential to block radio transmission links and rebroadcasting links (through direct blocking of radio signal or deflecting signal). Our radio transmission networks normally operate with a 100m buffer either side of a radio link, free from interference by a tall development.

We have considered whether this development is likely to have an adverse effect on our operations and have concluded that for the majority of the route we have no concerns however, we have identified that the path goes very close to the following Arqiva assets and as such, we ask that pylons are not placed within 75m of the following locations thus avoiding any possible interference as outlined above.

Blblair Wood – 259320 – 895270
Auchmore Wood – 248360 – 850150
Olrig Hill – 317765 – 965823
Rumster Forest – 319783 - 938545

If you would like to discuss this matter further, please do make contact via our email inbox windfarms@arqiva.com

Yours sincerely
Keith Waudby
Principal Microwave Engineer

By email to: EconsentsAdmin@gov.scot

20th November 2024

Dear Sir/Madam,

Re: Spittal to Loch Buidhe to Beauly 400kV OHL ECU00006008

Thank you for the opportunity to respond to this request for scoping opinion. The British Horse Society (The BHS) represents the interests of the 3.4 million people in the UK who ride or who drive horse-drawn vehicles and is the largest and most influential equestrian charity in the UK. The BHS is committed to protecting and promoting the interests of all horses and the people who care for them through our work in education, welfare, safety and access.

Outdoor Access
Access to safe off-road riding routes is vital to the health and wellbeing of horses and their riders. Under the terms of the Land Reform (Scotland) Act 2003, equestrians have the same rights of access to the outdoors as other non-motorised users, such as pedestrians and cyclists. Equestrian use should therefore be included when planning and designing energy infrastructure proposals. Considering all access takers, including equestrians, in the early stages helps to avoid problems down the line and ensures that projects like this are an opportunity to preserve and improve access for all, rather than curtail it or restrict it to certain groups.

I am pleased to note the applicant intends to include an Outdoor Access Management Plan within their Construction Environmental Management Plan. However, I note they consistently refer to walkers and cyclists and omit to mention equestrians. Equestrian users should be considered and accommodated alongside other non-motorised users when planning access arrangements during the construction phase and beyond.

The BHS is here to help and can provide guidance on suitable surfaces and infrastructure to accommodate equestrians and other access takers. We would be very willing to work with the applicant on these aspects.

The Importance of Off-Road Riding
Access to safe off-road riding routes is vital to the health and wellbeing of horses and their riders. Equestrian road users are classed as vulnerable as they are more likely to be involved in a road accident and more likely to suffer the worst consequences.

Most riding accidents happen on minor roads and with increasing numbers of horses and riders seeking to access the countryside, adequate access to off-road riding should be a priority, especially in rural and semi-rural areas like the Highlands. Few riders access busy roads by choice (although the horse has as much right to be on public roads as cars, bikes and pedestrians) - but they often have few other places to ride or no other way to access their safe off-road riding.

Vehicles travelling two and from work sites are likely to meet equestrians on the road and drivers should be advised of this risk. I have enclosed a copy of our *"Guidance to drivers of large vehicles"* document.

The Horse and the Rural Economy

Scotland's equestrian industry is worth over £300 million to the Scottish economy annually. This figure excludes the value of the horse racing industry, which is worth a further £300 million. Equestrianism is an important part of the economy in rural areas like the Highlands. Recent joint research between SRUC and The BHS showed current trends in the sector point to a continued increase in horse numbers and riding activity in all geographical areas of Scotland and across a wide cross section of society, leading to growth in the sector.

A national survey of riders who had recently given up their horse found that 27% of them had done so because they had lost access and had nowhere to ride. Failing to accommodate horses on our local path networks may lead to riders being forced to give up their horses, which in turn may damage the local economy.

I trust that the above information is of assistance. If you have any questions or would like to discuss the needs of equestrians further, please do contact me.

Kind regards,

REDACT

Catriona Davies
Scotland Access Officer
The British Horse Society

20th November 2024

Lee Stuart
Case Manager
Energy Consents Unit
The Scottish Government

Dear Sir/Madam

ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR SPITTAL TO LOCH BUIDHE TO BEAULY 400 KV OVERHEAD LINE CONNECTION

Many thanks for consulting with the Kyle of Sutherland District Salmon Fishery Board (KSDSFB) in respect of the proposed Loch Buidhe to Beauly overhead line connection.

Increasingly, KSDSFB is of the view that the present EIA process is flawed in that it lacks objectivity, underestimates potential risks, overestimates the efficacy of potential mitigation and fails to meaningfully assess cumulative impacts. Too often, impact assessments are being offered on a piecemeal basis in that they fail to include, for example, full details of all the river crossings required for a development to be constructed. We are also of the view that enforcement of planning conditions is often too weak to protect the environment and that by the time any remedial action is initiated in response to issues significant damage has already occurred.

The IUCN has recently listed the Atlantic salmon as endangered in Great Britain and as such we suggest that they constitute a key potential receptor as part of any assessment. This listing highlights the fragility of salmon populations in particular, and the aquatic environment in general.

In the first instance we would expect any environmental assessment to include:

- Fish habitat data in any potentially affected watercourse both within and out with the physical boundary of the proposed development.
- Fish presence, distribution and abundance data in all potentially affected watercourses.

- Macro-invertebrate data in all potentially affected watercourses.
- Freshwater pearl mussel (FWPM) abundance and distribution data in all potentially affected watercourses.
- Hydrology data, including for any artificial drainage watercourses. Any artificial or modified drainage channels need to be fully mapped as part of the assessment process.
- Water quality data (i.e. turbidity, pH, dissolved organic carbon, acid-neutralising capacity etc.) in all potentially affected watercourses.

From the maps provided it would appear that the proposal has the potential to impact Kyle of Sutherland watercourses and we anticipate that the applicant will take full cognisance of this.

Yours Faithfully

Redacted

Keith Williams

(Director and Clerk, Kyle of Sutherland District Salmon Fishery Board)

Katie Butchart

From: Richard Lomax <Richard.Lomax@hse.gov.uk>
Sent: 01 November 2024 10:13
To: Econsents Admin
Subject: Request for Scoping Opinion - Spittal to Loch Buidhe to Beauly 400 kV OHL Connection - ECU00006008

Dear Lee,

Thank you for your EIA scoping opinion request reference ECU00006008 dated 29 October for the Spittal to Loch Buidhe to Beauly overhead line.

HSE's Land Use Planning advice team is responding under the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, Regulation 4(4) – the vulnerability of the proposed development to major accidents relevant to the development

- HSE's response is limited to our role in the land use planning system for the control of major industrial hazards involving hazardous substances.
- HSE is not responding in our regulatory role in the health and safety system

1. The proposed development, being an overhead line, does not appear to be of a type that would store or process hazardous substances in quantities relevant to the potential for industrial major accidents with respect to The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015.

2. The development is not located within a safeguarding zone of an explosives site licensed under the Explosives Regulations 2014 or the Dangerous Goods in Harbour Area Regulations 2016.

3. The development is not located within HSE's land-use-planning consultation zones for hazardous substances consented sites.

4. The development crosses the route of a major accident hazard pipeline, the Aberdeen/Conon Bridge high pressure gas pipeline (8105_2364) operated by Scotland Gas Networks. There is potential to initiate a major accident at the major accident hazard pipeline, for example during the development construction phase. HSE suggests that the EIA should show that the operator of the pipeline has been consulted regarding the following issues or that these issues have been considered in the assessment:

- the development restricted area due to the pipeline
- ensuring the integrity of the pipeline and protecting the pipeline from development and operational works.

We hope that this takes your assessment of the EIA Scoping Opinion forwerd

Yours sincerely

Richard Lomax | Land Use Planning advice team
Health and Safety Executive | Chemical Explosives Microbiological Hazards Division 5B
02030283092
richard.lomax@hse.gov.uk

Please send enquiries on Land Use Planning to lupenquiries@hse.gov.uk and enquiries on hazardous substance consents to hazsubcon.cemhd5@hse.gov.uk

HSE's Land Use Planning web app is at https://pa.hsl.gov.uk/

From: Safeguarding
To: Lee Stirrat
Cc: Safeguarding
Subject: RE: Request for Scoping Opinion - Spittal to Loch Buidhe to Beauly 400 kV OHL Connection - ECU00006008
Date: 19 November 2024 15:28:06

OFFICIAL

Hi Lee,

ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR SPITTAL TO LOCH BUIDHE TO BEAULY 400 KV OVERHEAD LINE CONNECTION

We have reviewed the Scoping Opinion for the above application and the proposed development options may conflict with the Instrument Flight Procedures for Inverness and Wick Airport. We would need the exact co-ordinates (Eastings and Northerings) for each tower to carry out an initial Safeguarding Assessment. Please note, that we would also require aviation lighting on each of the towers. For further information please refer to Advice Note 2 'Lighting' (available at http://www.aoa.org.uk/policy-campaigns/operations-safety). Please also consider the lighting requirements as documented in The Air Navigation Order 2016, Article 222.

Kind regards,

Nyree

Nyree Millar-Bell
Aerodrome Safeguarding and Operations Support Officer
Highlands and Islands Airports Limited

From:	JRC Windfarm Coordinations New
To:	Martin.Godwin@sse.com
Cc:	Lee Stirrat; Wind SSE
Subject:	Spittal to Loch Buidhe to Beauly 400 kV OHL Connection - ECU00006008 - Request for Scoping Opinion - [WF133091]
Date:	02 January 2025 16:09:29

Dear Martin,

A Windfarms Team member has replied to your co-ordination request, reference **WF133091** with the following response:

Hi Martin,

Following the reviewed 3D analysis, none of the links are predicted to now be impacted by the OHL towers.

On this basis, JRC no longer have any comment to make on this development.

That being said, please come back to us should the route change.

Kind regards,

Jacob Chambers

JRC

We hope this response has sufficiently answered your query.
If not, please **do not send another email** as you will go back to the end of the mail queue, which is not what you or we need. Instead, **reply to this email by clicking on the link below or login to your account** for access to your co-ordination requests and responses.

https://breeze.jrc.co.uk/tickets/view.php?id=34366

From: Tim Allott on behalf of metofficesafeguarding
To: Lee Stirrat
Subject: RE: Request for Scoping Opinion - Spittal to Loch Buidhe to Beauly 400 kV OHL Connection - ECU00006008
Date: 06 November 2024 13:52:34

OFFICIAL

Dear Lee,
Thanks for consulting the Met Office regarding the above proposal. The route isn't inside any of our consultations zones and will have no impact on the data or services from our weather radar network. Therefore we have no objections and wouldn't expect to be consulted if a planning application was submitted.

Kind regards,
Tim Allott
Upper Air Observations
Met Office, FitzRoy Road, Exeter, Devon, EX1 3PB, United Kingdom
E-mail: metofficesafeguarding@metoffice.gov.uk
Web: https://www.metoffice.gov.uk/services/business-industry/energy/safeguarding

OFFICIAL

From:	Davie Black
To:	Lee Stirrat
Subject:	RE: Request for Scoping Opinion - Spittal to Loch Buidhe to Beauly 400 kV OHL Connection - ECU00006008
Date:	14 November 2024 13:51:43
Attachments:	image001.png

Mountaineering Scotland's interests lie with the perceptions of landscape and its scenic and wild qualities, and the wildlife that lives there. Our main focus is on the potential effects of construction on the landscape qualities, and visual impact in the area that the route traverses. We are therefore disappointed to see in this scoping exercise that the applicant has not provided any locations for hillwalkers' viewpoints in order to assess the adequacy of a forthcoming Environmental Report.

All we can therefore say about this scoping exercise is that we request the Scottish Government to ensure that the applicant includes for visual impact assessment recreational summit destinations close to the proposed route. This should include not only Munros, but any Corbetts and Fionas that may be within a reasonable distance of the route, as well as more locally prominent viewpoints.

With kind regards

Davie Black | Access & Conservation Officer
Mountaineering Scotland

Tel: 07555 769325 | **Email:** access@mountaineering.scot

My working hours are normally 08.00-16.00, Monday-Thursday

Website: www.mountaineering.scot | **Instagram:** @mountaineeringscotland

Facebook: @MountaineeringScotland | **Twitter:** @Mountain_Scot

Support our campaign:

From:	box.assetprotection
To:	Lee Stirrat
Subject:	RE: [EXTERNAL] Request for Scoping Opinion - Spittal to Loch Buidhe to Beauly 400 kV OHL Connection - ECU00006008
Date:	31 October 2024 08:37:01
Attachments:	image001.png

Hi,

Thank you for your email.

Regarding planning application ECU00006008, there are no National Gas Transmission gas assets affected in this area.

If you would like to view if there are any other affected assets in this area, please raise an enquiry with www.lsbud.co.uk. Additionally, if the location or works type changes, please raise an enquiry.

Kind regards

Jordane Maples
Asset Protection Assistant
Asset Protection

07702622482
Jordane.maples@nationalgas.com

national gas transmission

National Gas Transmission, Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA
nationalgas.com I Twitter I LinkedIn

Please consider the environment before printing this email.

From:	NATS Safeguarding
To:	Lee Stirrat
Cc:	Econsents Admin
Subject:	RE: Request for Scoping Opinion - Spittal to Loch Buidhe to Beauly 400 kV OHL Connection - ECU00006008 [SG38356]
Date:	30 October 2024 12:49:37
Attachments:	image001.png image002.png image003.png image004.png image005.png image006.png

Our Ref: SG38356

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk

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

Network Rail
Town Planning
1st Floor George House
36 North Hanover Street
Glasgow
G1 2AD

Martin Henderson
Town Planning Technician

Planning reference: ECU00006008
Case Officer: Lee Stirrat

E-Mail:
TownPlanningScotland@networkrail.co.uk

Network Rail ref: 325 2024
07/11/2024

Dear Mr Stirrat,

THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR SPITTAL TO LOCH BUIDHE TO BEAULY 400 KV OVERHEAD LINE CONNECTION

Thank you for consulting Network Rail regarding the above development.

We would strongly suggest that reference to the issues below are included in the Scoping Opinion to ensure that potential impacts of both the construction and completed development on the current and future safe and efficient operation of the railway are assessed:

- A Traffic Assessment should be included to assess the effects of construction traffic on existing traffic flows and the public road network. Preferred construction traffic routes should be indicated. This will enable Network Rail to assess the possible impacts where/if the traffic crosses over/under our infrastructure and the suitability of these crossings.

- Details of proposed construction and engineering works in the vicinity of the Wick Railway Line and the Kyle Of Lochalsh Railway Line. Any works over the railway will be subject to further discussion and agreement with Network Rail.

Yours sincerely

Redacted

Martin Henderson
Town Planning Technician

Lee Stirrat
Case Manager,
Energy Consents Unit,
The Scottish Government
Sent by Email: Lee.Stirrat@gov.scot; Econsents_Admin@gov.scot

4th December 2024

Dear Lee,

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR SPITTAL TO LOCH BUIDHE TO BEAULY 400 KV OVERHEAD LINE CONNECTION

Thank you for consulting RSPB Scotland on the scoping opinion request regarding the proposed Spittal to Loch Buidhe to Beauly 400KV Overhead Line Connection. We hope that our comments presented below will be useful in the formation of the scoping opinion and to the Applicant in preparing any EIA Report.

RSPB Scotland is supportive of renewable energy, as it is essential to achieve net zero, and understand the requirement for an updated transmission network. However, we are also facing a biodiversity crisis, with significant declines in the abundance and numbers of species in Scotland; and it is vital that infrastructure is carefully sited and designed to ensure that impacts on nature are avoided where possible. NPF4 was adopted in February 2023 and acknowledges that the climate and nature crises are intrinsically linked. RSPB Scotland believes that developments should leave nature in a better state than before and is supportive of NPF4 Policy 3 which requires developments to deliver positive effects for biodiversity.

Ornithological impacts to be scoped in

Negative impacts on birds associated with construction and operation of overhead lines (OHLs) are collision, electrocution, displacement, habitat loss, disturbance and barrier effects all of which must be considered.

Impacts on protected sites

Due to the location, large scale and timeline of the proposed development, there would be likely significant adverse impacts on habitats and species as well as significant effects on the qualifying interests of sites of national importance, SSSIs, and

international importance. This includes extensive SACs, Ramsar sites, the Flow Country UNESCO World Heritage Site and the following SPAs:

- Caithness and Sutherland Peatlands SPA,
- East Caithness Cliffs SPA,
- North Caithness Cliffs SPA,
- Caithness Lochs SPA,
- Strath Carnaig and Stath Fleet Moors SPA,
- Dornoch Firth and Loch Fleet SPA,
- Lairg and Strath Brora Lochs SPA,
- Beinn Dearg SPA,
- Ben Wyvis SPA,
- Novar SPA,
- Moray Firth SPA,
- Inner Moray Firth SPA,
- North Inverness Lochs SPA,
- Cromarty Firth SPA, and
- Glen Affric to Strathconon SPA.

As the proposed development is not directly connected with the management of any of the above SPAs, Scottish Ministers must, as the competent authority, make an Appropriate Assessment (AA) of the implications of the proposed overhead powerline on the integrity of the above listed SPAs in light of their site conservation objectives, as required by the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'). The proposed overhead powerline may be consented only after Scottish Ministers have established beyond reasonable scientific doubt that there will be no adverse impact on the integrity of the SPAs, both on its own and in combination with other plans and projects impacting on the SPAs. The Applicant must provide sufficient information in the EIA Report to inform the Appropriate Assessment.

Survey Methodology

Overall, we are concerned the surveys conducted to date are inadequate. Some surveys did not cover one full breeding season, instead they consist of two half seasons. In Section 8.2.42 it is stated that "Due to the timing of the surveys, breeding season hours were split between the 2023 and 2024 breeding seasons. This deviated from recommended breeding season survey guidance and will be taken into account in the subsequent presentation of the baseline and the assessment of impacts." The data will be inadequate as two half season surveys do not properly reflect one season of data, far less two seasons. Additionally, the full proposed development area was not covered by surveys (Section 8.2.16), further increasing insufficiency.

Robust survey and assessment should be undertaken to inform the final design to avoid or minimise impacts where possible, as per the mitigation hierarchy. In our response to the pre-scoping consultation, dated the 12th of May 2023 we suggested the need for 2 years' worth of surveys for sensitive areas, including for both designated and undesignated sites. We are disappointed that only 1 year of surveys has been conducted. As per NatureScot guidance[1]:

"Additional survey work after one year may be required in some cases and on some sections of the proposed line, for example:

[1] https://www.nature.scot/doc/guidance-assessment-and-mitigation-impacts-power-lines-and-guyed-meteorological-masts-birds

- To enable further detailed assessment of impacts of birds on, or connected to, protected areas.
- In areas where bird sensitivity is expected or has been shown to be high, especially where activity varies significantly between years.
- Where land use changes during survey work may have implications for the use birds make of the landscape and, therefore, the representativeness of survey results (e.g. plantation felling, flooding at the time of survey)."

Due to the importance of the bird species and habitats present along the routes, the location of designated sites that this proposal passes through or close to and the extended length of construction time (i.e. 4 years, Section 2.7.3), all three of these categories are covered. Therefore, we continue to recommend undertaking two years of field surveys (vantage point, breeding bird and wintering bird) as this will be needed to provide up-to-date information on bird distribution and activity to assess likely effects and inform any required mitigation.

We recommend peat depth and habitat surveys are also undertaken along all proposed routes to inform the final alignment deviation choices.

Flight Activity Surveys

In Section 8.2.10 it is stated that "Flights are categorised into three height bands: below collision risk height (0-5 m); within collision risk height (>5 to 70 m); and above collision risk height (>70 m)." We disagree that >70m is used as a cut off for above collision height. As stated in Section 2.6.1, the steel lattice towers will have "a maximum extension height of up to 70 m, although tower heights may be increased where local topography dictates in order to achieve sufficient clearance distances". Further to this, Section 2.5.3 states that a vertical LOD of 9m will apply in general. Therefore, tower heights could be more than 79m and so 70m is not "above collision risk height". Added to that, estimate of flight height during VPs is not an exact science, especially with variable topographies. We recommend a broader height band is used to allow for a buffer and for observation error. Due to the importance of some of these areas, we recommend a precautionary approach is taken. Excluding flights of over 70m may exclude important flights of target species and so collision risk may be underestimated. This should be considered in the EIA.

Further to this, it is stated in Section 8.2.16 that VP surveys did not achieve 100% coverage of the Proposed Development. The EIA should provide maps showing the areas covered by VPs and the viewsheds to allow appraisal of coverage in areas of known species distribution. Justification should be provided within the EIA if any areas are not covered.

Breeding Bird Surveys

In Section 8.2.19 it is stated that "Due to access constraints, some surveys for the northern half of the Proposed Development undertaken in 2023 were delayed, with some (first) survey visits taking place in June and some second survey visits taking place in July. As a result, additional targeted breeding bird surveys were undertaken in 2024 in areas of suitable habitat for sensitive species for the northern half of the Proposed Development." As the 2023 surveys are insufficient in informing impact- as they were conducted towards the end of the breeding season and only "target" surveys were conducted in 2024, we are concerned that the surveys conducted will not be sufficient in informing impact. Provision of the methods used and maps showing the area covered in the "targeted breeding bird surveys" need to be included in the EIA.

In Section 8.2.23 it is stated that "Where access tracks or other ancillary infrastructure locations have been finalised following the completion of surveys and will be located outside of surveyed areas, pre-construction follow up surveys may need to be undertaken." We recommend that a desk-based survey is conducted to initially determine if there are likely significant effects in those areas not surveyed. Further to this we strongly recommend the need for pre-construction surveys to be undertaken, should this proposal be consented.

Breeding Diver Surveys

Section 8.2.24 states that "Records of breeding divers were acquired from the RSPB to inform the selection of suitable waterbodies to survey." As per NatureScot guidance[2], breeding diver surveys should cover all suitable water bodies within 1km of the proposed development, not only those that we have records of divers occupying.

It is stated in Section 8.2.26 that "breeding divers are a target species of the flight activity surveys and these records were expected to identify regular flight routes between nesting and feeding sites." It is unclear whether dedicated breeding diver surveys were conducted after confirmation of breeding. As per NatureScot guidance[2] "'Focal breeding loch' watches should also be conducted from VPs overlooking each occupied nesting lochan within 1km of the proposed development site. Incoming and outgoing flights should be recorded during the incubation and chick-rearing periods. For proposed development sites that lie on potential flight routes between the sea/feeding loch and a designated site for red-throated divers". This should be clarified in the EIA.

We are concerned that breeding diver surveys conducted in the northern half of the proposed development are insufficient to inform potential impact. It is stated in Section 8.2.27 that "Breeding diver surveys for the northern half of the Proposed Development were undertaken in 2023 in parallel with the general breeding bird surveys." But as stated previously, the 2023 breeding bird surveys in the northern half took place in June and July. It is not stated whether additional target surveys were conducted in 2024. This is especially concerning as both Red-throated Diver and Black-throated Divers are designated features of the Caithness and Sutherland Peatlands SPA and Lairg and Strath Brora Lochs SPA which are in the northern half of the route. This should be clarified in the EIA and further surveys may be required.

Breeding Ducks and Grebes Survey

As with divers, we are concerned that the surveys conducted for breeding ducks and grebes in the northern half of the proposed development were insufficient to inform an assessment of impacts. This is especially concerning for Common Scoter, a qualifying feature of the Caithness and Sutherland Peatlands SPA and endangered as a breeding species in the UK, 50% of which breeds in the Flow Country, largely to the west of the proposed route. If breeding bird surveys only took place in June and July 2023 (Section 8.2.28) and no additional surveys were conducted in early breeding season 2024 then breeding Common Scoter is highly likely to have been missed.

Common Scoter have historically been known to breed near the proposed route. We have concerns regarding the potential impacts on Common Scoter, particularly the potential for collision with OHLs during the hours of darkness when Scoter migrate.

[2] https://www.nature.scot/doc/recommended-bird-survey-methods-inform-impact-assessment-onshore-windfarms

Wildfowl often migrate at night and therefore the Vantage Point surveys undertaken are unlikely to have recorded them. There is very little understanding of their movements or the routes they use between their breeding lochs and the sea where they winter. Scoter are known to feed at sea during the breeding season and it is possible that birds breeding in the Caithness and Sutherland Peatlands SPA could commute across the proposed OHL route, increasing the likelihood of collision risk.

We would therefore strongly recommend undertaking nocturnal surveys where possible, using vertical radar coupled with acoustic recorders, remote camera and surveyor observations during the breeding and migration seasons. This would allow a more accurate assessment of the collision risk and barrier effects on birds breeding in the Caithness and Sutherland Peatlands SPA. We understand there are likely to be high-cost implications of this and recommend that other developers across the Flow Country are contacted to collaborate as this issue has been raised in RSPB Scotland responses to several proposals in the area.

Raptor Surveys

In Section 8.2.33 for Hen Harrier roosting surveys it is stated that "Survey locations were selected based on records identified during the desk-based study and where potential roost sites were identified during flight activity or other bird surveys". We are concerned that this will underestimate impact as only one dawn and one dusk survey was conducted at each VP in the autumn (Section 8.2.15), VPs did not cover 100% of the proposed development and no dedicated winter walkovers were conducted. In areas with suitable Hen Harrier roost habitat dedicated further surveys should be conducted.

Woodland Grouse Surveys

It is unclear from the Scoping report if the extent of Capercaillie surveys conducted up to date will be sufficient to inform the EIA. It is stated in Section 8.2.38 that for lekking Capercaillie "two surveys took place at pre-identified locations." The EIA should confirm these locations and the extent of the surveys conducted. From the information provided these appear to be two surveys of known leks and no further surveys of suitable habitat have been conducted.

As stated by NatureScot guidance "Capercaillie use of woodland can change over time, with lek sites and brood areas changing location. It is necessary to have up-to-date information regarding any changes in order to ensure that planning decisions are as informed as possible." As shown by Section 8.3.31 in which signs of Capercaillie were discovered in Section E, Capercaillie can be found outside of known locations and protected sites.

For Capercaillie, cold searches of all suitable habitat within the length of the proposed development are required to determine Capercaillie presence and lek distribution and size within the area of the proposed development[3]. Suitable habitat includes both mature Scots pine forest, open canopy spruce and regenerating pine forests and bog woodland contained in both sections D and E. The area of section D closest to the Novar SPA including Glen Glass and Swordale is of concern.

[3] https://www.nature.scot/sites/default/files/2018-01/Guidance-Licensing-Capercaillie-survey-methods.pdf

Prior consultation with RSPB Scotland as per NatureScot's 2017 'Recommended bird survey methods to inform impact assessment of onshore windfarms' is recommended to prevent crossover, unnecessary disturbance and potential unnecessary repetition of surveys. These surveys should cover at least 1.5km from previously recorded lek sites.

We strongly recommend that the EIA clearly sets out details of survey methodology, including which surveys were conducted, where, and when. The RSPB Scotland's Capercaillie Advisory Officer, Helen Gray (helen.gray@rspb.org.uk), should also be consulted for further information on known active lek locations and advise on suitable habitat. If surveys to date do not cover all suitable habitat, further surveys will be required.

Information to be provided in the EIA

We recommend that information is provided within the EIA Report to demonstrate that the survey coverage and data meet NatureScot requirements, are robust and accurate, including:

- Full information on the VP work undertaken, including dates, times and weather conditions.
- Maps showing diver, wader and raptor breeding, foraging and roosting areas.
- Maps showing areas of high ornithological activity to single out for mitigation such as undergrounding and line marking.

Assessment Requirements

We disagree with the statement in Section 8.5.2 in which barrier effects are scoped out of further assessment.

Although there are existing OHLs in proximity of the proposed development, these do not cover the entire length of the Proposed Development, nor are they at the same scale. Therefore, for those areas that currently don't have an OHL, the Proposed Development may act as a barrier. Additionally, even in those areas where there are existing OHLs, it is not clear if and when they will be replaced. Two parallel OHLs may further increase barriers to birds. Added to that, the proposed development is higher-so could have a greater impact. There are also areas of the proposed development not covered by the single year of vantage point surveys, so a cautionary approach should be taken. Finally, due to the high volume of development in proximity of the proposed development, a cumulative assessment of barrier impacts should be assessed, especially for the SPAs.

As noted in Section 8.3.6 "Three identified goose roosts were situated in proximity to Section A of the Proposed Development. Pink-footed and Greylag geese as well as Whooper Swans were recorded in flight at risk-height or using roost sites." This OHL could be a barrier to these wintering goose populations. This should be assessed in the EIA.

Peat and Priority Peatland Habitats

According to the Carbon and Peatland Map 2016[4], much of the route passes through significant areas of Class 1 Nationally important carbon-rich soils, deep peat and priority

[4] https://soils.environment.gov.scot/maps/thematic-maps/carbon-and-peatland-2016-map/

peatland habitat, areas likely to be of high conservation value. We are pleased that a peat depth survey will be undertaken (Section 10.3.1). The results from this should be used to minimise impacts on peat by helping to avoid areas deeper than 0.5m.

Routes that use existing infrastructure should also be considered as a way of reducing further damage to peat.

Horizontal directional drilling through bedrock should be considered for sensitive peatland habitats that cannot be avoided.

Compensatory Planting

We understand that compensatory planting may be required as a result of the Proposed Development (Section 14.4.2). We recommend the Applicant considers whether compensatory planting is required in areas of deep peat or whether an exception would apply as per Scottish Forestry guidance[5],[6] regarding removal of woodland from deep peat. Guidance on this and consideration of peatland restoration instead would maximise any biodiversity enhancement. Any compensatory planting project should avoid important bird populations of open habitats, survey and assessment will be required to determine these areas.

Cumulative and In-combination Impacts

At points the proposed development runs in parallel with existing OHLs. The cumulative impact of this, on disturbance, displacement, barrier effects, collision and peatland impacts should be considered in the EIA.

A robust cumulative and in-combination assessment should include not just collision risk but also disturbance, displacement and barrier effects and should take account of all operational, consented, and proposed development schemes and land uses within planning that could impact on bird populations at the relevant NHZ and SPA scale. Considering this, Table 3.3, Section 3.6 may be insufficient in scope.

Cumulative impacts in relation to collision risk should be assessed, especially for Red- and Black-throated Divers, Red Kite, Hen Harrier and Common Scoter, noting that Common Scoters are likely to fly at night.

Section Comments

1. *Section A - Spittal to Brora*

Section A is within the Caithness and Sutherland Peatlands Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site; designated for internationally important populations of birds and habitats. The proposed development has the potential to impact on several priority species some of which are features of the designated sites. Not only that, but this is an area of global importance, as shown by its recent inscription as a World Heritage Site. As stated previously, we are disappointed by the inadequacy of the surveys conducted in the northern sections of this

[5] https://forestry.gov.scot/publications/285-the-scottish-government-s-policy-on-control-of-woodland-removal/viewdocument/285
[6] FCS (2015) Deciding Future Management Options for Afforested Deep Peatland https://forestry.gov.scot/publications/1-deciding-future-management-options-for-afforested-deep-peatland

development. An area as important as this must be adequately surveyed to truly inform impact.

Sections A1 and A1.1 of the proposal are within the UNESCO World Heritage Site. The Highland Council's Flow Country Candidate World Heritage Site Planning Position Statement[7], states that, developments within the zone of influence of the WHS, must be assessed utilising the UNESCO Impact Assessment Guidance Toolkit. Therefore, we are pleased that this is being undertaken alongside the EIA (Section 7.9.1).

In our public consultation response dated the 12th of May 2023 we welcomed that the preferred route avoided the RSPB Forsinard Flows Reserve, however, in Table 8.2 it is stated that the proposed development is within the reserve boundary. This is unclear in the provided maps and should be clarified.

Section A1.1 overlaps with the boundaries of the proposed Ouglassy and Watten wind farms, as well as with the boundary of the Ayre offshore wind- onshore cabling. It is also adjacent to proposed Stemster windfarm. This limitation should be discussed in the EIA and these developments should be included in the cumulative impact assessment. Further to this we suggest these developers are contacted for the ornithological data collected at these sites.

Section A1.1 is within the Caithness and Sutherland Peatlands SPA and WHS. From the information provided it seems that these protected areas have not been avoided because of the location of the Halsary, Causeymire and Bad a Cheo windfarms. This should be acknowledged in the assessment, especially the cumulative impact assessment.

Section A1.5 Follows the existing OHL to Lothbeg, then from Lothbeg to the beginning of section B the proposed route crosses an undeveloped area. This includes an area of Class 1 peatland[8]. Peat depth and habitat surveys should be undertaken to determine best routing in this area.

The A1.6 alternative route does not follow the existing OHL, and as it crosses greater undeveloped land it is likely to have increased ornithological and peatland impacts. Surveys will be required to determine impacts.

2. *Section B - Brora to Loch Buidhe*

Our major concern for Section B is that B1 crosses both the Strath Carnaig and Strath Fleet Moors SPA and SSSI and the Dornoch Firth SPA. Due to the nature of the proposal and its location the EIA Report must include sufficient information to inform an Appropriate Assessment by the competent authority, as required by the Conservation of Habitats and Species Regulations 2017.

The Strath Carnaig and Strath Fleet Moors SPA, and underpinning SSSI, are designated for their breeding population of Hen Harriers (12 breeding pairs which constitutes 2.5% of the GB population[9]). This SPA population is important in a UK context as Hen Harrier

[7]https://www.highland.gov.uk/directory_record/1979671/flow_country_candidate_world_heritage_site_planning_position_statement

[8] https://soils.environment.gov.scot/maps/thematic-maps/carbon-and-peatland-2016-map/

[9] EC Directive 79/409 on the Conservation of Wild Birds CITATION FOR SPECIAL PROTECTION AREA (SPA) STRATH CARNAIG AND STRATH FLEET MOORS, HIGHLAND (UK9020300) – SNH SiteLink: https://sitelink.nature.scot/site/9190

numbers are in serious decline. The National Hen Harrier Survey undertaken in 2016 found numbers of pairs had decreased across the UK by 13% since 2010 and 24% since 2004[10] . The Hen Harrier is listed in Annex 1 of the Birds Directive as well as Schedules 1 and 1A of the Wildlife and Countryside Act which means that they are protected at all times and may not be intentionally or recklessly harassed. The SPAs Conservation Objective[11] is to avoid deterioration of the habitats or significant disturbance to Hen Harriers and thus ensure that the integrity of the site is maintained. To avoid negatively impacting this designated feature of the SPA, careful consideration must be given to Hen Harriers along the length of this route. On the 5th of April 2024 we responded to the request for scoping opinion for the Loch Buidhe 400kV Substation (24/00833/SCOP), many of our concerns outlined in that letter are relevant here.

From section A1.5 and B1 to Torboll and B1.1 to Kinnauld, the route deviates from the existing OHL. We assume that this is to avoid the population centres of Brora and Golspie. However, by doing so, the OHL may have a more extensive impact on undeveloped land and will also cross through Loch Gorge SSSI (Which is included in Table 7.2 but not Table 7.4). The EIA should give this full consideration.

B1 follows the existing OHL, meaning it crosses both the Dornoch Firth SPA and Strath Carnaig and Strath Feet Moors SPA, which could mean two OHLs will run in parallel within the protected areas. Alternative route B1.1 avoids the Dornoch Firth SPA and follows an existing OHL from Kinnauld, but also crosses the Strathfleet SSSI. Full justification for the selection of routes within the designated sites and an appraisal of alternatives that avoid these sites should be detailed in the EIA, including the cumulative impacts of two OHLs running parallel.

As section B1 crosses Loch Brora, surveys should be conducted to determine impacts on wetland birds, this includes both barrier and collision on species crossing the loch.

3. *Section C - West of Dornoch*

As with Section B, Section C is within the Strath Carnaig and Strath Fleet Moors SPA. The impacts of this must be considered in the EIA. Section C also crosses the Kyle of Sutherland Marshes SSSI and River Oykel SAC. The EIA should provide justification as to why designated sites are not being avoided.

Section C is within the site boundary of proposed Garvary Moor, Inveroykel and Balblair windfarms. This limitation should be discussed in the EIA and these developments should be included in the cumulative impact assessment. Further to this we suggest these developers are contacted for ornithological data from these sites.

4. *Section D - Dornoch to Dingwall*

Section D1 is within the site boundary of the following proposed windfarms:

- Creachan, (ECU00005211)

[10] Simon R. Wotton, Stephen Bladwell, Wendy Mattingley, Neil G. Morris, David Raw, Marc Ruddock, Andrew Stevenson & Mark A. Eaton (2018) Status of the Hen Harrier Circus cyaneus in the UK and Isle of Man in 2016, Bird Study, 65:2, 145- 160, DOI: 10.1080/00063657.2018.1476462

[11] Conservation Objectives for Strath Carnaig and Strath Fleet Moors Special Protection Area – SNH SiteLink (accessed 9/8/19)

- Ceislein (ECU00005174) and
- Abhainn Dubh (ECU00004732).

Section D1.3 is within the site boundary of in-planning Fairburn Windfarm extension (ECU00004542). These limitations should be discussed in the EIA and these developments should be included in the cumulative impact assessment. Further to this we suggest developers of the above-mentioned windfarm proposals are contacted for ornithological data from these sites.

Capercaillie is of particular concern in this section. Capercaillie are a rare, Red Listed Bird of Conservation Concern. The most recent National Survey 21/22 showed the population had more than halved since the previous survey 6 years prior. Novar and Morangie SPAs form a significant metapopulation situated at the most northerly part of the current Capercaillie range in Scotland. Capercaillie are vulnerable to both collision and disturbance. Surveys must be sufficient to inform the EIA. Additionally, the area in which the proposed development passes through is already proposed for a number of wind farms and forest works. The cumulative pressure on what is already a small and declining population should be considered.

5. *Section E - Dingwall to Beauly*

Section E1 crosses the SSE Western Isle/Beauly transmission line and Section E1.1 is adjacent to the operational Fairburn Windfarm. This limitation should be discussed in the EIA and these developments should be included in the cumulative impact assessment. Further to this we suggest these developers are contacted for ornithological data from these sites.

In our public consultation response dated the 12th of May 2023 we stated concern that Section E is located in very close proximity to Loch nam Bonnach and that the proposed development would pass between this loch and Loch nan Eun. We have also received emails of concern from members of the public with regard to the impacts of the proposal on this loch. As birds will likely fly between these two lochs, the proposed line could create a collision risk, therefore surveys are required in this area. The data from these surveys should be provided in the EIA.

Section E crosses areas of Ancient Woodland[12] around Aultgowrie. The EIA should provide information on whether this area has been covered appropriately by surveys.

<u>Biodiversity Enhancement</u>

The Scottish Government's Fourth National Planning Framework (NPF4) was adopted on 13 February 2023 and now forms part of the statutory development plan and should be a significant material consideration. NPF4 acknowledges that the climate and nature crises are intrinsically linked and recognises the importance of the planning system in tackling these issues. RSPB Scotland believes that developments should leave nature in a better state than before and welcomes the requirement in Policy 3 of NPF4 that all developments must deliver biodiversity enhancement. The proposal therefore needs to offer 'significant biodiversity enhancements' that can be 'secured within a reasonable timescale and with reasonable certainty' as required by policy 3iv) of NPF4.

[12] https://opendata.nature.scot/datasets/ancient-woodland-inventory/explore

We are pleased to read SSEN Transmission's Biodiversity Ambition (Section 1.3.1). Any plans need to clearly set out what elements are proposed as mitigation and/or compensation and what is considered enhancement.

We welcome the inclusion of enhancement in this proposal. However, we do not believe that existing metrics (Section 7.10.1 including DEFRA's BNG metric for England), represent the best approach for determining the most appropriate focus and location of enhancement, because they aren't designed to protect and invest in Scotland's nature restoration priorities.

RSPB Scotland believes that the best method to ascertain the most appropriate type and location of biodiversity enhancement is to use a qualitative approach, administered by ecological experts with an understanding of the ecology of the site. Using an EIA-like or ecological assessment process to assess the scale and value of biodiversity lost, the ecological context and the relevant opportunity for enhancement means that enhancement measures can be designed to maximise value. Enhancements must be measurable, with the required amount of enhancement being proportionate to the scale, impact, and duration of the development.

We hope you find these comments helpful. Should you wish to discuss of any of the above please do not hesitate to contact me.

Yours sincerely

Redacted

Anna Jemmett

Conservation Officer

Anna.jemmett@rspb.org.uk

Demi Gray

From: Young, Bryan <Bryan.Young@sgn.co.uk>
Sent: 29 October 2024 16:50
To: Econsents Admin
Subject: Spittal to Loch Buidhe to Beauly 400 kV OHL Connection - ECU00006008

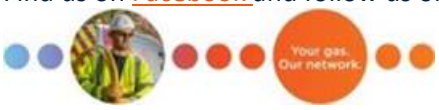
Classified as Internal

Good afternoon,

SGN do not have any High Pressure pipelines within the vicinity of the above scoping opinion and as such would have no comment/objection.

Kind regards

Bryan Young
Pipeline Officer
Bryan.young@sgn.co.uk
Axis House Edinburgh
sgn.co.uk
Find us on Facebook and follow us on Twitter: @SGNgas



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Energy Consents Unit
Directorate for Energy and Climate Change
Scottish Government

20th November 2024

Dear Lee Stirrat

Reference: ECU00006008
Proposal: Request for Scoping Opinion for proposed Section 36 application for Spittal to Loch Buidhe to Beauly 400 kV OHL Connection

The Woodland Trust is the UK's leading woodland conservation charity. We have four main aims: ensuring no further loss of ancient woodland, restoring and improving woodland biodiversity, increasing new native woodland creation and increasing people's understanding and enjoyment of woodland.

We own over 1,000 sites across the UK, covering over 30,000 hectares (ha). In Scotland we own and care for around 60 sites covering in excess of 11,300ha which include the 4,000ha Glen Finglas estate and significant urban forestry holdings in Glenrothes and Livingston. We combine the promotion of public access with forestry, farming and conservation of the natural and cultural heritage. We have over 500,000 members and supporters.

We are an evidence-led organisation, using existing policy and our conservation and planning expertise to assess the impacts of development on ancient woodland and ancient and veteran trees.

The Trust would like to ensure that ancient woodland, and ancient and veteran trees, are appropriately considered as part of the Environmental Impact Assessment (EIA) for this development. Ancient woodland and ancient and veteran trees are afforded protection within the Scottish Government's National Planning Framework 4 (Policy 6 - Forestry, woodland and trees).

We consider that the development has the potential to give rise to significant impacts on several areas of woodland designated on NatureScot's Ancient Woodland Inventory[1] as detailed in Annex 1 at the foot of this document. We have specified the AWI classification of the woodlands, in addition to whether they are recorded on the Native Woodland Survey of Scotland.

We have also indicated whether the woodlands are within or adjacent to the proposed boundary. In this respect, Paragraph 7.2.8 of the Scoping Report states that *"woodland listed*

[1] https://www.nature.scot/doc/guide-understanding-scottish-ancient-woodland-inventory-awi

on the Ancient Woodland Inventory (AWI) was mapped using publicly available data and woodlands located within the routes identified". It is not clear whether it is the applicant's intention to consider woodlands adjacent to the proposed boundary in addition to those situated within the boundary. In view of the potential for root encroachment and indirect impacts where woodlands are in close proximity to development, we consider that the assessment should include woodlands that are **within 30 metres** of the proposed boundary.

We note the applicant's reference to identifying woodlands that are "*within the SSEN Transmission definition of irreplaceable habitat*" and that only ASNO designated woodlands are considered irreplaceable habitat. As detailed within the AWI, LEPO woodland can develop important characteristics and be considered as rich as ancient woodland. We consider that, where LEPO woodland sites are also recorded on the Native Woodland Survey of Scotland (NWSS), it is likely that such sites will have a majority native canopy cover and should therefore be protected in line with national planning policy. The woodlands listed in Annex 1 include LEPO designated woodland that is also on the NWSS.

The Scoping Report links to further detail in the applicant's 'BNG Toolkit'. We note that the Toolkit refers to the need for an initial assessment of woodlands on the AWI by a suitably qualified ecologist to determine whether there is reason to doubt the validity of the woodland's classification, followed if necessary by a specialist ecological assessment to determine whether the woodland should be considered ancient, and thus irreplaceable habitat. The Toolkit also refers to separate assessments for LEPO woodland to determine whether they can be considered as ecologically rich as ancient woodland. The Toolkit does not appear to address the approach to assessing Roy woodland.

We consider that in order to fully assess potential impacts of the development on ancient and important woodland the following approach should be adopted:-

(1) Where it is considered that a woodland designated on the AWI will not be treated as ancient and thus irreplaceable habitat, the EIA should include full details of the ecological methodology and assessment.
(2) Details should be included of the assessments of the ecological condition and importance of woodlands classified as LEPO or Roy on the AWI.
(3) Any non-ancient woodlands potentially affected by the development should be reviewed to ensure any areas of unmapped ancient woodland are accounted for as the design progresses.

We note the presence of four trees within the site boundary which are registered on the Ancient Tree Inventory as detailed in Annex 1 below. We consider that the applicant should ensure that the development does not adversely impact ancient, veteran or over-mature trees.

We recommend that an Arboricultural Impact Assessment is undertaken to inform the EIA to ensure that any important trees (including any ancient or veteran trees) are identified and accounted for ahead of the full planning application. As part of the assessment the applicant should review the Ancient Tree Inventory[2] (ATI) in addition to identifying other ancient or veteran trees that may not be recorded on the ATI. Please note that the ATI is a live database so new tree records are added and updated regularly. The ATI is also not a comprehensive

[2] http://www.ati.woodlandtrust.org.uk/

register of all veteran trees and therefore must be complemented with on the ground surveying.

The Woodland Trust will be **holding an objection** to the development in view of the potential for serious impact, loss or deterioration of ancient woodland and veteran trees.

We hope you find these comments helpful - if you would like to discuss any of the points raised, please contact us at planningcasework@woodlandtrust.org.uk

Kind regards

Cathy Johannesen
Programme Officer – Woods Under Threat

Annex 1:

Section	Ancient woodland / tree	Designation	Grid reference	Impacts
A1.3	Unnamed woodland	2a ASNO	ND150312	Within
	Unnamed woodland	2a ASNO	ND147305	Within
A1.5	Unnamed woodland	1a ASNO	ND108237	Within
	Unnamed woodland	1a ASNO	ND116226	Within
	Unnamed woodland	1a ASNO	ND097221	Within
	Unnamed woodland	1a ASNO	ND088222	Within
	Unnamed woodland	1a ASNO	ND092228	Within
	Shin Wood	1a ASNO	ND089227	Within
	Unnamed woodland	2a ASNO / SSSI	ND073198	Within
A1.6	Unnamed woodland	2a ASNO	ND003177	Within
	Unnamed woodland	2a ASNO	NC999184	Within
	Unnamed woodland	2a ASNO	NC993183	Within
	Unnamed woodland	2a ASNO	NC984186	Within / Adjacent
	Unnamed woodland	1a ASNO	NC978183	Within
	Coille Bad Mheasain	2a ASNO	NC937131	Within
B1	ATI ID 88942	Ancient Alder TNSI	NH72509838	Within
	ATI ID 133914	Ancient Alder TNSI	NH72779839	Within
	Unnamed woodland	1a ASNO	NC858077	Within
	Unnamed woodland	1a ASNO / SPA	NH735985	Within
B1.1	Unnamed woodland	1a ASNO / SPA	NH735985	Within
	Unnamed woodland	2a ASNO / SSSI	NC755010	Within
C1	Unnamed woodland	2a ASNO	NH573964	Within
	Carbisdale Wood	2b LEPO / NWSS	NH566957	Within
	East Strathcarron Woods	2b LEPO / NWSS	NH580914	Within
D1	East Strathcarron Woods	2b LEPO / NWSS	NH580914	Within
	Unnamed woodland	1a ASNO	NH572909	Within

	Unnamed woodland	2b LEPO / NWSS	NH580897	Adjacent
	Unnamed woodland	2b LEPO / NWSS	NH557790	Within
	Unnamed woodland	2b LEPO / NWSS	NH565786	Within
	Unnamed woodland	2a ASNO	NH576740	Within
	Unnamed woodland	2a ASNO	NH557692	Within
	Unnamed woodland	2b LEPO / NWSS	NH558685	Within
	Unnamed woodland	2a ASNO	NH554679	Within
	Unnamed woodland	2b LEPO / NWSS	NH557646	Within
	Unnamed woodland	2a ASNO	NH526631	Within
	Unnamed woodland	2a ASNO	NH520629	Within
	Unnamed woodland	2a ASNO	NH472605	Within
	Unnamed woodland	2a ASNO	NH462570	Within
	Unnamed woodland	2b LEPO / NWSS	NH474565	Within
	Unnamed woodland	2b LEPO / NWSS	NH467563	Within
	Unnamed woodland	2a ASNO	NH472605	Within
D1.3	Tarvie Wood	2a ASNO	NH435589	Within
	Unnamed woodland	2a ASNO	NH420591	Within
	Unnamed woodland	1a ASNO	NH422591	Within
	Unnamed woodland	Roy	NH415589	Within
	Unnamed woodland	Roy	NH418583	Within
	Unnamed woodland	2a ASNO	NH399566	Within
	Unnamed woodland	2a ASNO	NH405555	Within
	ATI ID 59047	Veteran Alder	NH40935610	Within
	ATI ID 11876	Veteran Rowan	NH41335548	Within
	Unnamed woodland	2a ASNO	NH412553	Within
	Unnamed woodland	1a ASNO	NH418547	Within
	Unnamed woodland	2a ASNO	NH437544	Within
E1.1	Unnamed woodland	2b LEPO / NWSS	NH467563	Within

	Conon Islands	1a ASNO / SSSI / SAC	NH457554	Within
	Unnamed woodland	1a ASNO	NH449548	Within / Adjacent
	Unnamed woodland	2a ASNO	NH447543	Within
	Unnamed woodland	1a ASNO	NH447540	Within
	Unnamed woodland	2a ASNO	NH437544	Within
	Muirton Wood	2b LEPO / NWSS	NH447532	Within
	Cornhill / Bridgepark Wood	2b LEPO / NWSS	NH460515	Within
	Unnamed woodland	2b LEPO / NWSS	NH460509	Within
	Unnamed woodland	2a ASNO	NH477507	Within
E1	Unnamed woodland	2a ASNO	NH477507	Within
	Unnamed woodland	1a ASNO	NH477547	Within
	Coul / Black Dyke Wood	2b LEPO / NWSS	NH480530	Within
	Tower / Achnasoul Wood	2b LEPO / NWSS	NH474520	Within
	Auchmore Wood	2b LEPO / NWSS	NH477507	Within
	Farly Wood	2b LEPO / NWSS	NH495470	Within / Adjacent
	Coille Na Cleithe	2a ASNO	NH468450	Within
	Unnamed woodland	2a ASNO	NH465445	Within
	Black Wood	2a ASNO	NH468443	Within
	Ad Druim	1a ASNO	NH470433	Within
	Ruttle Wood	2b LEPO / NWSS	NH480435	Within

Ardgay & District Community Council

Highland Council ePlanning
Reference 24/04588/SCOP
ECU00006008
21/11/2024

Dear Sir/Madam,

We write further to your request for Ardgay & District Community Council to comment as Statutory Consultee on the propose Spittal – Loch Buidhe – Beauly 400 kV OHL Connection Environmental Impact Assessment Scoping Report Scoping Opinion.

Many members of the community attended the public consultation events held in local public halls recently. At these events it is clear that the applicant has yet to finalise what they are **actually** proposing to develop along the proposed route of the pylons as it was presented that the final height of each pylon has yet to be determined due to the topography and crossing of the river. The details of the proposed development presented at these well attended events were questioned by members of the community who still seek clarification of what is proposed and where. As a result of this vague approach to a finalised proposal it is difficult for the Community Council to provide detailed comments in respect of the proposal. However, what follows is the Community Councils response to the Scoping exercise.

Based on the information available to date and the timescale to submit we would offer the following initial observations in respect of the EIA Scoping exercise in general in regard to what factors should fall within Scope and should be addressed:

A) Legislation and guidance states that both environmental and social impacts of any proposed development should be included in an Environmental Impact Assessment. Specifically, issues which are potentially significant for natural and human factors and their interactions should be addressed. 'Where a scoping opinion is adopted, the EIA report must be based on that scoping opinion and must include the information that may reasonably be required for reaching a reasoned conclusion on the significant effects of the development on the environment, taking into account current knowledge and methods of assessment.'

B) Baseline studies and methodology must be agreed with the relevant regulatory authorities so that the EIA addresses both positive and negative issues. The development size, features, physical location, land status, social/cultural setting as well as environmental issues (i.e. habitat, ecology etc.) should all be detailed. Positive and negative impacts, if they are significant, will require further research and the potential for requirement of management. This will inform proposed mitigation measures as it will qualify impact of the proposed development and suggest mitigation measures to reduce or even negate the negative impacts of a proposal.

C) We welcome the opportunity to comment on the Terms of Reference when they are developed and ready to inform the process.

Some comments regarding accuracy and dubiety of the EIA Scoping

In the Executive Summary of the report it states that answers are sought to the following:

1. What environmental information do you hold or are aware of that will assist in the EIA described here?
2. Do you agree with the proposed approach for baseline collection, and that the range of surveys across particular topics is sufficient and appropriate to inform the assessment of environmental effects?
3. Is there any other relevant existing baseline data that should be taken into account?
4. Are there any key issues or possible effects which have been omitted?
5. Do you agree with the list of issues to be scoped out, and the rationale behind the decision?

However, there is an element of dubiety within the Scoping document as at page 15 para 1.4.4 it states ..."The Applicant recommends to the Scottish Ministers that consultees comment on the following:

• What environmental information do you hold or are aware of that will assist in the EIA described here?

• Do you agree with the proposed approach for baseline collection, prediction and significance assessment?

• Are there any key issues or possible effects which have been omitted?

• Do you agree with the list of issues to be scoped out, and the rationale behind the decision?

• Of those issues identified for assessment, which do you consider the most important / material and which the least?

Whilst it could be argued that the difference between the last two questions on the above lists is insignificant it is the opinion of the A&DCC that the scale and nature of the development is of such a significant scale and encompasses such a large area that there should be no confusion or ambiguity in respect of the EIA and the elements it addresses. It is of paramount importance that the list of issues that we respond to as consultees is clear, relevant to the proposal and are accurately targeted thus, securing constructive feedback via this consultation process. This will ensure the EIA is accurately developed and takes cognisance of all the pertinent factors as raised by consultees. It is disappointing that there is this underlying element of confusion as to what the views of A&DCC are sought on.

Limit of Deviation

In the report there is reference to "Limit of Deviation" (LOD) in respect of not only the actual siting of the individual pylons but also in respect of the height of the individual pylon. An actual pylon may be sited anywhere within 100m of an identified site and the actual height will be determined by topography. It is the view of A&DCC that there is a requirement for greater certainty in what is being proposed as this will lead to greater confidence within the community in regards to their understanding of what is actually proposed and where. Presently we have no certainty as to what is proposed where. On behalf of the community that we represent we consider that an LOD of 100m is unacceptable and that the whole concept of "micro-siting by condition placed on the consent" is in our opinion wholly inappropriate. The locations and the heights of the proposed pylons need to be confirmed otherwise we are essentially commenting on the "principle of the development" rather than "the detail of the proposal" which should be the case of an EIA development.

The list of ancillary works which you seek to be classed as having deemed consent is extensive and A&DCC consider that many of these themselves and when considered

together will have a significant environmental impact. Whilst you may consider that they are ancillary works to your proposed development they will be extensive and will result in permanent features in the landscape. Their impact will be significant and they should not be considered as having deemed consent. This is further supported by your own text which refers to the definition of cumulative effects and clearly references that such matters as site preparation and earthworks, construction and operational phases should be taken in to consideration.

"*There are two aspects to cumulative effects, defined as follows:*
• *In-combination effects: The combined effect of the Proposed Development together with other reasonably foreseeable developments (taking into consideration effects at the site preparation and earthworks, construction and operational phases); and*
• *Effects Interactions: The combined or synergistic effects caused by the combination of a number of effects on a particular receptor (taking into consideration effects at the site preparation and earthworks, construction and operational phases), which may collectively cause a more significant effect than would occur individually. A theoretical example is the culmination of disturbance from dust, noise, vibration, artificial light, human presence and visual intrusion on sensitive fauna (e.g., certain bat species) adjacent to a construction site*".

Background
The Applicant is proposing to submit an application for consent to construct and operate a new double circuit steel structure 400 kilovolt (kV) overhead transmission line (OHL) to connect into proposed new substation sites at Spittal, Loch Buidhe and Beauly. The project is referred to as the Spittal to Loch Buidhe to Beauly 400kV Connection Project. The proposed development is required to reinforce the onshore electricity transmission corridor between Spittal and Beauly. Providing a new 400 kV OHL connection between these locations enables the significant power transfer needed to transmit power from future large scale onshore and offshore sources of low carbon renewable energy generation to areas of demand. The rationale that supports this proposal is that it is required to meet future transmission infrastructure requirements, particularly having regard to targets fixed by the Scottish and United Kingdom (UK) Governments to achieve net zero by 2045 and 2050 respectively.

The proposed route of the proposed line of pylons has been subdivided into 5 sections. In respect of Ardgay and District Community Councils area of coverage the main section of focus for us is Section C identified (rather insultingly) as "West of Dornoch". It would be more accurately described as Kyle of Sutherland.

We note that "a request for a direction that planning permission be deemed to be granted under section 57 (2) of the Town and Country Planning (Scotland) Act 1997, as amended, for construction and operation of the OHL and carrying out of ancillary works. 1.2.2 For the purposes of the application under Section 57 (2), the ancillary development will include:
• the formation of 'bellmouths' (i.e. junctions with curved entry and exit points) for connections to public roads;
• temporary and permanent construction access tracks and tower working areas;
• cable sealing end compounds, which are required at the interface between overhead lines and underground cables;
• construction compounds (where these are currently known);
• 'borrow pits' to provide stone (where these are currently known);
• vegetation clearance and management;
• other temporary measures required during construction".

Whilst the above list of works may be considered to be minor in terms of the overall development and could very well be considered as permitted development the Community Council has concerns regarding specific impacts of the works listed. We remain yet to be assured that these deemed consented developments collectively and by themselves will NOT have detrimental impacts on our environment.

The Applicant recommends to the Scottish Ministers that consultees comment on the following:
• What environmental information do you hold or are aware of that will assist in the EIA described here?
• Do you agree with the proposed approach for baseline collection, prediction and significance assessment?
• Are there any key issues or possible effects which have been omitted?
• Do you agree with the list of issues to be scoped out, and the rationale behind the decision?
• Of those issues identified for assessment, which do you consider the most important / material and which the least?

We also note that cumulative effects of intra-projects (those directly related to transmission infrastructure) and inter-projects (those projects undertaken by third parties) cumulative impacts will also be assessed as part of the EIA process. We welcome this approach in respect of cumulative impacts of this proposal in relation to intra and inter-projects but it must, in detail, consider those develops also planned, consented and those that already exist within the area. Whilst this response from A&DCC is specifically in respect of Section C there has to be acceptance that some of our comments are relevant to the other sections of the proposed route.

Need for the development

The report details the overall need and demand for the development as a consequence of onshore and offshore renewable energy developments and the fact the generated electricity has to be transported to areas of demand which are located in the South. However, A&DCC represents a community that considers that this generated electricity could and should be supplied south via underground cables or by offshore subsea cables emerging where the demand for the electricity is located. There is only slight reference to under grounding cables and no detailed rationale for why this has been discounted is presented. A&DCC is of the opinion that total under grounding has been discounted due to financial costs that this approach would incur. We are of the opinion that the costs of pylons proposed are far in excess of mere monetary considerations. We are also aware that proposed transmission lines located in the West of Scotland are primarily to be underground rather than via pylons, we find this difference in approach inequitable and would urge that underground cables are considered and promoted as the sole approach for energy transmission.

Matters in Scope

Environmental topics identified for assessment in the EIA Report are:
• Landscape and Visual Amenity;
• Ecology and Nature Conservation;
• Ornithology;
• Cultural Heritage;
• Geological Environment (Soil, Peat and Geology);
• Water Environment (Hydrology and Hydrogeology);
• Traffic and Transport;
• Noise and Vibration;

• Forestry;
• Recreation and Tourism;
• Climate Change (Land Use Change Carbon)

Matters out of Scope
Land Use;
• Air Quality;
• Material Assets and Waste;
• Major Accidents and Disasters;
• Electric and Magnetic Fields;
• Radio and TV Interference;
• Population and Human Health;
• Socio Economics;
• Climate Change (Life cycle/embodied Carbon).

Cumulative Effects

A&DCC are in no doubt that the greatest concern of the community is the cumulative impact of the proposal when considered with all the elements of this proposal and the other renewable energy developments currently planned or in the consent process.
The report states (at para 3.6):
"*There are two aspects to cumulative effects, defined as follows:*
• *In-combination effects: The combined effect of the Proposed Development together with other reasonably foreseeable developments (taking into consideration effects at the site preparation and earthworks, construction and operational phases); and*
• *Effects Interactions: The combined or synergistic effects caused by the combination of a number of effects on a particular receptor (taking into consideration effects at the site preparation and earthworks, construction and operational phases), which may collectively cause a more significant effect than would occur individually. A theoretical example is the culmination of disturbance from dust, noise, vibration, artificial light, human presence and visual intrusion on sensitive fauna (e.g., certain bat species) adjacent to a construction site*".

What is missing from this assessment of the cumulative effects as stated above is the synergistic effects caused by a combination of the effects on a single receptor by the different effects generated from a number of separate development sites. (e.g Dust from one site, noise from another and vibration from a third.) Essentially, the potential combinations are often overlooked or considered individually when they really ought to be assessed in combination. It is this cumulative impact that is of greater concern. Another example is landscape impact and the fact that the human eye is quickly drawn to the anomaly of straight lines which, in nature are rarely formed and in a landscape easily noticed e.g. dry stone wall, fence lines and power lines. The human eye then registers movement e.g. the ripple of water, the flying bird or the wind turbine turning (or not, as we have noticed the lines). Cumulative impacts need to be assessed comprehensively.

Table 3.2: List of Projects considered for 'intra-project' effects
Table 3.3: List of Projects considered for 'inter-project' effects
due to the dynamic nature of certain aspects of the environment, conditions will change during the construction and operation of the site".

A&DCC would contend that for Section C the list of sites must include;

Wind Farm Name	Status as of November 2024
Achany	Operational
Beinn Tharsuinn	Operational
Beinn nan Oighrean	Operational
Rosehall	Operational
Lairg Estate	Operational
Coire na Cloiche	Operational
Lairg II	Approved
Garvary	In planning
Achany Extension	Approved
Strathrory	Approved
Strath Oykel	In planning
Acheilidh (aka Lairg III)	In planning
Allt an Tuir	Scoping
Coille Beith	Scoping
Creachan	Scoping
Inveroykel	Scoping
Balblair	Scoping

The report states in Section C the constraints are:
"Proximity to local properties around the areas of Bonar Bridge, Culrain, Carbisdale, Drumaliah, Dounie and Tulloch were noted as constraints in this section. Other constraints include a number of natural heritage designations such as the Dornoch Firth National Scenic Area (NSA); Strath Carnaig and Strath Fleet Moors SPA and SSSI; the River Oykel SAC; and Kyle of Sutherland Marshes SSSI. There are also a number of scheduled monuments and listed buildings, including the Battle of Carbisdale Registered Battlefield, and areas of ancient woodland."

There is no weighting to these constraints nor is there a consideration as to how they all interact in respect of the unique nature of this landscape. Where else in Scotland can a visitor see within one single view all these designations. They are individually important but when they can be viewed altogether in the one landscape the exceptional nature of the landscape can be understood and appreciated. For example, the imposing presence of Carbisdale Castle sitting at the head of the Kyle of Sutherland with the designated marshlands are but a small part of the whole of the Dornoch Firth and the Kyle which are renowned for their cultural, built and natural heritage. This view is already impacted by the existing power-lines and the backdrop of wind turbines, it is noted that proposed windfarms will, if consented, encroach further into this landscape, added to the proposed pylons the special quality of the unique landscape will inevitably be eroded.

Landscape and Visual impacts

At 6.11.1 The Report states:
"*There is the potential for cumulative landscape and visual effects to arise throughout the study area from the addition of the overhead line components alongside other developments which are either operational, under construction, consented or the subject of a valid application for consent (proposed).*
6.11.2 Existing developments, such as wind farms and other vertical infrastructure (e.g. overhead lines and telecommunications masts) form part of the existing baseline environment and will be considered in the LVIA.

6.11.3 The cumulative LVIA (CLVIA) will consider the likelihood for significant cumulative landscape and/or visual effects with other types of proposed development. However, developments will be limited to those which are likely to result in a similar type, scale and extent of landscape and visual effects as the Proposed Development. The developments to be cumulatively assessed will be agreed in line with Section 3.6. "

While A&DCC appreciate that "*Landscape and visual assessments are separate, though linked, procedures. In both cases the level of impact and the resultant significance of the effect of the Proposed Development on the baseline resource is based upon the correlation between the magnitude of change (i.e. high, medium, low, negligible or none) and the sensitivity of the receptor (i.e. high, medium, low or negligible)*" A&DCC strongly advise that the list of proposed developments to which a cumulative landscape and visual impact assessment is undertaken is based on that which is in this response and any further proposed developments that come forward in the meantime. Please note that the accuracy of any such assessment will be questioned if it is based on the level of information as cited in the Scoping Report where it is stated that pylons may be "be 57 m above ground level in height on average, with a maximum extension height of up to 70 m". Also note that the landscape and visual impact assessment cannot comply with established best practice and be considered competent until it is clear where the pylons are actually being sited. The spacing in the landscape will no doubt lessen their overall impact as indeed will their height; 57m is considerably less than 70m but under grounding (which stated previously is the communities preferred option for Section C) would give a landscape and visual impact that would inevitably be considerably less detrimental than what is proposed.

In respect to **Issues Scoped Out: Landscape and Visual amenity**
A&DCC have concerns regarding light pollution, we note that"*6.14.2 Night-time working is not anticipated and there is no permanent lighting associated with the towers. There are therefore no anticipated impacts from light pollution as a result of the Proposed Development and night-time landscape effects will not be assessed."* Light pollution is a factor and it should be in scope. In terms of planning legislation anything that is sited for a 28 day period is deemed to require express planning consent. Therefore, the applicant is likely to store materials etc within a floodlit compound servicing a number of pylon sites in an attempt to supply logistics for the development. One only has to travel along the Struie (B9176) travelling north to appreciate the impacts of light pollution on road users from such an operational compound. This proposed development could be comprised of any number of compound/yard areas which require illumination along the length of the proposed route. Vehicles travelling to and from construction sites for the pylons will present moving lights in an otherwise dark landscape.

In this regard A&DCC request that baseline night surveys are undertaken in respect of the zones of theoretical visibility and in reference to agreed viewpoints. The night time skyscape (including displays of the northern lights) are an intrinsic quality of the special nature of the area impacted by development proposed in section C of the proposed development.

Ecology and Nature Conservation
The competency of any in the field surveys which are undertaken is called into question when the LoD is considered. For example, A&DCC note that in terms of surveys of watercourses 200m upstream and downstream is to be added to the LOD for habitat survey for otters.
Furthermore, the Report states at 7.2.11 that "*Evidence of protected species including the animals themselves, their places of shelter and other field signs such as footprints, faeces and feeding signs will be searched for up to 30 m from the Limit of Deviation (LoD) of the Proposed Development. Where associated infrastructure is located out with*

these areas, e.g. compounds and borrow pits, their footprint will be subject to survey plus a 30 m buffer." A&DCC questions how this survey work can possibly be undertaken given the degree of work that is required to undertake the survey work as detailed in this report along the route within the LoD of that route. In addition, given that the sites of the compounds and borrow pits is NOT known. This calls into question the accuracy and validity of **any** survey work undertaken and therefore the validity of the findings presented.

A&DCC understand the difficultly the applicant and their advisers face but we consider it of paramount importance that accurate survey findings are presented to inform the EIA process.

The report states "Hydrological connectivity to sites designated for nature conservation is not expected to exceed 2 km, as such designated sites beyond this threshold are scoped out of the assessment." A&DCC disagree with the premise of this statement when one considers the cumulative impact and as stated in the Report specifically :
"There are two aspects to cumulative effects, defined as follows:
• *In-combination effects: The combined effect of the Proposed Development together with other reasonably foreseeable developments (taking into consideration effects at the site preparation and earthworks, construction and operational phases); and*
• *Effects Interactions: The combined or synergistic effects caused by the combination of a number of effects on a particular receptor (taking into consideration effects at the site preparation and earthworks, construction and operational phases), which may collectively cause a more significant effect than would occur individually. A theoretical example is the culmination of disturbance from dust, noise, vibration, artificial light, human presence and visual intrusion on sensitive fauna (e.g., certain bat species) adjacent to a construction site*".
The ecological impacts of development sites should be assessed on a whole catchment, from source to outfall and beyond, survey.

In respect of nature conservation A&DCC welcome the Scoping Reports commitment that *"a BNG Assessment Report will be produced, detailing the approach to assessment and toolkit results (including baseline units, post development units, temporary impacts and impacts on irreplaceable habitat). The BNG Assessment Report will include the proposed planting design to achieve the target biodiversity units*. "However, A&DCC have concerns regarding the "impacts on irreplaceable habitat". These concerns relate to which species habitat will be lost and how does the applicant propose to replace that which is in your own words "*irreplaceable*"? This very statement calls into question the legitimacy of the BNG and commitment of the applicant to Biodiversity Net Gain. There have been some concerns raised in respect of this concept in regard to what it actually means in reality. Will badger setts be lost but the net gain be more deciduous woodland which is appreciated by squirrels? Or will the sea eagle bird strikes on the powerlines be compensated by bat boxes randomly placed along the pylon route? We remain unconvinced regarding BNG when ANY mention is made to impacting on *irreplaceable habitat* such habitats should be identified and excluded from encroachment by the development or by the enabling works for said development or any cumulative impact of this development and any other development (whether by the applicant or a third party).

"7.11.4 Issues scoped out of the Ecology and Nature Conservation assessment include Construction impacts on ecological and nature conservation features associated with lighting, noise, dust, visual disturbance and pollution;
GWDTEs ruled out through hydrogeological conductivity calculations and those out with 250 m of the Proposed Development;

Impacts on designated sites potentially hydrologically linked to but in excess of 2 km from the Proposed Development;
Impacts on protected sites designated only for habitat interest features at distances of more than 250 m from the Proposed Development;
Impacts on sites designated for geological features only; and,
Impacts on sites designated for ornithological features."

A&DCC do not agree with the methodology proposed given the degree of inaccuracy likely to be a consequence of the LoD and its impact on survey findings. A&DCC do not agree with the issues that are considered to be out of scope. A&DCC have serious concerns regarding the potentially critical cumulative impact of the development.

Ornithology

A&DCC note at 8.2.4 "*The field surveys set out below are informed by the known or potential presence of sensitive bird species along the route of the Proposed Development*, and at 8.2.6 "*Based on the location and nature of the Proposed Development as well as the desk-based review of available information, the following bird surveys were identified as required to inform the EIA:*

- *Flight activity surveys;*
- *Breeding bird surveys;*
- *Breeding diver surveys;*
- *Breeding duck and grebe surveys;*
- *Breeding woodland grouse surveys;*
- *Breeding and wintering raptor surveys;*
- *Winter goose roost surveys; and*
- *Winter goose foraging surveys*"

This calls into question the validity of the survey work undertaken and the accuracy of the resulting information given that no cognisance is made in respect of the LoD as has been and is referred to above. A&DCC therefore call into question the methodology of approach in respect of ornithology survey and the resulting findings.

Issues Scoped Out 8.5.1 Due to the nature of the works, impacts to birds and their habitats via emissions to air (e.g. from vehicle emissions during OHL line construction). Given the level of ambiguity as a result of the LoD A&DCC cannot accurately comment in respect of methodology and any resultant survey findings. There therefore needs to be a greater level of clarity to influence surveys and finding. This then informs the potential for mitigation. A&DCC also request that migration routes and patterns are included in surveys.

Cultural Heritage

It is noted at 9.2.1 in your consultation with HES detailed comments were given designated receptors and their settings. These included "Scheduled Monuments, Category A listed buildings, Inventory Gardens and Designed Landcsapes and Inventory Battlefields".

It is noted at paragraph 9.3.7 *"Central Riverine Section (Section C1)*
This section is near the confluence of the River Oykel, River Shin, and River Carron, into the Kyle of Sutherland, which leads in to Bambuscurrie Bay, This strategic location has heavily influence the history of the region. In addition, prehistoric receptors and chambered cairns (eg SM 1817, SM 1772) suggest prehistoric peoples occupied and exploited riverine environs in the region, developing a complex landscape of settlement, mortuary monumentality and communicable navigation and bounding. Its defensive location and potential are demonstrated by the presence of the Invershin Castle remains

(CID: 13001) from the medieval period. Additionally, the Kyle of Sutherland and the River Carron were key obstacles and avenues of approach and retreat during the Battle of Carbisdale (BTL 19) in 1650. The accumulated riverine sediments within the region may overlie additional unknown archaeological receptors in certain locations locally."

Following this your document goes on to identify designated receptors within the proposed development area as 5 Scheduled Monuments, 1 Battlefield and one category B listed building (at paragraph 9.3.63). Within 10KM of the proposed development one garden and designed landscape, thirty five scheduled monuments, one category A listed building, twenty nine category B listed buildings and thirty five category C listed buildings. The battlefield and the category A listed building are identified as the "most" important.

A&DCC have concerns regarding this approach to cultural heritage importance and assessment. The Planning, Listed Buildings and Conservation Areas (Scotland) Act 1997 makes no distinction between category of listed buildings. The setting of ALL listed buildings, regardless of category assigned is protected and is a material consideration in the assessment of any development proposal. To limit your assessment of the OHL route to the Inventory Battlefield of Carbisdale and the Category A listed Shin Viaduct does not meet the basic requirements of the primary legislation relating to these cultural heritage receptors.

Further, it is noted at paragraph 9.3.69 that the section C OHL route *"may result in significant adverse impact on the setting of a severity, that would likely require an objection from HES if not mitigated".* A& DCC are of the opinion that legislation requires that the same must apply to the listed buildings identified.

We have no issue or comments with the issues scoped out as detailed at 9.6.

It is difficult to give any detailed response to 9.7 as we do not believe that you have adequately identified all receptors and the unknowns due to the extreme LoD make it impossible to provide a meaningful response from the community.

Geological Environment (Soil, Peat & Geology)
With regard to section C of the route A&DCC contend that many of the proposed works for which deemed consent is sought are in fact the most impactful in relation peat deposits and geology. Therefore, your assertion that these works should have deemed consent is again called in to question given the potential for adverse and long term impacts on the geological environment.

Water Environment (Hydrology and hydrogeology)
A&DCC note that paragraph 11.2.31 states *"Surface Water section C of the proposed development has the potential to cross approximately thirteen water courses across five catchments, depending on the final route alignment and micrositing".* Therefore, we question the overall accuracy of the Scoping of this particular element given "approximately" and "depending on eth final route alignment and micrositing". This leads us to believe that this element is inaccurate, misleading and ill informed. We contend that again, proper assessment should be undertaken when route alignment and siting of the individual pylons has been determined.

In regards to private water supplies we note that nine have been identified within one kilometre of the proposed development. Given the LoD we would question the accuracy of this figure and further, given the essential nature of water supply we do not find this degree of potential variable impacts from the proposed development acceptable. The baseline survey must inform mitigation measures to ensure that the quality and quantity of these essential supplies are protected from any negative impact as a result of this

development proposal. The water supplies to farming activities is crucial and loss or pollution of such would have a significant economic impact.

Noise & Vibration

It is noted that at paragraph 13.2.1, Summary of baseline: *"the exact alignment is not known at the time of writing, but the main areas witnin the vicinity of the Proposed Route include Spittal, Dunbeath, Helmsdale, Borgue, Rogart, Invershin, Dounie, Pittentrail, Glensgiach, Strathpeffer, Contin, Marybank, Fairburn and Beauly."* The inaccuracy of information and the lack of explanation for this baseline makes it completely impossible for our community to assess the approach to gathering the baseline or make any meaningful comment in this regard. We note that the methodology for the assessment of noise sensitive receptors as detailed in paragraph 13.2.2 states that noise sensitive receptors are residential properties located within 500 meters of a nominal centre line of the proposed route. Given that the proposed route is not known and there is a significant line of deviation which has the potential to significantly change these receptors we question how meaningful the EIA will be in this regard. The community is concerned at the potential for corona discharge noise and hum from the proposed power lines along with aeolien noise which is likely to be greater given the location of the proposed development corridor within a predominantly rural area where such noises are alien.

Recreation & Tourism

A&DCC note that both Ardgay and Culrain have been omitted from the list of settlements recorded as within the vicinity of the proposed development in this section of the report. Whilst we understand that our settlements may be smaller they are never the less settlements within the vicinity of the proposed development and should not be overlooked in any EIA. We would question how the significance of the noted likely impacts on tourism economy have been assessed. The tourism economy is crucial to the survival of our area and the retention of our rural population. We note that at paragraph 15.3.2 "these effects will be highlighted within a separate socio economic report that will accompany the application" this contradicts the fact that socio economics are outwith scope. We must also question where the baseline data for any socio economic report will come from at a later date if socio economic are out of scope.

Finally, A&DCC do not agree that the following should be out of scope

- Major Accidents and Disasters; our community believe that there is inevitably a risk for major accidents and disasters with a development of this scale carrying such a high voltage. There is increased risk from the current baseline and this should be in scope within any EIA for the proposal.
- Electric and Magnetic Fields; our community have raised concerns regarding potential significant detrimental impacts and increased EMI from the proposed OHL.
- Radio and TV Interference; within our community concern has bee raised regarding the proposed OHL impacting on Radio and TV reception. Concern has also been raised for the potential interference the OHL will have in respect of "Smart Meters" downloading data.
- Population and Human Health; Demography – the site is located in an area that is deemed to be a fragile community where depopulation and the difficultly of population retention are key issues. The impacts of the proposal on demographic change should be in scope. The cumulative effects of renewable energy infrastructure on the wellbeing of the local population should be addressed.
- Socio Economics; A&DCC firmly believe that there are considerable socioeconomic impacts from the proposed pylons and overhead powerline.

In light of the above Ardgay and District Community Council respectfully request that the points we have raised are taken into account and are addressed in the terms of the Scoping and production of the finalised EIA. Please note our preferred option for the transmission of electricity transfer to areas of demand remains via undergrounding and/subsea cable, Noone has presented a detailed argument as to why this cannot be the proposed option and in order to fully inform the EIA process it should be fully assessed. It seems that in others areas of Scotland (and the UK as a whole) undergrounding is possible and we maintain the position that for Section C it remains the preferred option. The dismissal of this potential approach "due to excessive cost" has never been fully explained and we doubt whether it has even been assessed.

We offer the final observation in respect of this Scoping. It is no doubt difficult to undertake a Scoping exercise but it is very difficult for us as a community to comment in detail on a proposed development when we do not essentially know what (i.e. the height of individual pylon) is actually proposed where (given the LoD). Lastly, we consider that many of the works that you seek to be deemed as granted planning permission, given the potential impacts of these activities and the locations, are such that they will have a significant and long lasting (in many cases permanent) impact. You are attempting to excluded these activities from the EIA in their entirety and A&DCC find that that is reprehensible.

Yours sincerely

Secretary A&DCC

Secretary@ardgayanddistrictcommunitycouncil.org.uk

BRORA COMMUNITY COUNCIL

Planning Sub-Committee

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18th November 2024

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Re: Spittal – Loch Buidhe – Beauly 400kV OHL Connection
Scottish Government Ref: EC00006008
The Highland Council Ref: 24/04588/SCOP

Our Council would like to comment on the following matters regarding the above Scoping Request. This project will bring large scale changes and significant visual effects to our landscape and community, and it is therefore vital that the information in the SSEN EIA Report is clear, transparent, and easily accessible by the local community in both digital and printed form.

- Alternative Routes Considered

We emphasise the importance of this section under Section 4 of the EIA regulations (Scoping Request 3.1.2 & 3.4). Throughout the consultation period our community have drawn attention to the sensitivities of the preferred option through our area. To fully evaluate that a proper environmental balance has been achieved it is essential that the EIA contains a full and detailed evaluation of all the options considered rather than just a summary as suggested at 3.4.5.

- The Loch Fleet, Loch Brora and Glen Loth SLA

This locally designated area forms the setting of our coastal community and is a precious resource for our residents and visitors. The currently proposed route will plough through the heart of this SLA. It is therefore of primary importance that the effects on this special landscape are properly assessed in this context with full consideration of the future validity of the SLA's special qualities in the light of what is proposed.

- LVIA – Area of Search.

At 6.4 it is suggested that the area of search should be limited to 10km. While this may be sufficient in some areas, we question if it is appropriate for the East Coast of Sutherland where we have a number of scenic coastal views across water and very clear air giving long range acute visibility. This feature has been recognised in several local wind farm inquiries. As it is also likely that the OHL will skyline in places, we therefore suggest greater flexibility to cover some of the important longer northward views from Brora, Embo and Dornoch.

2/

- LVIA - Mapping and Visualisations

We note and support the use of The Highland Council Visualisation Standards for Wind Energy Developments (2016). These guidelines should be strictly adhered to particularly with respect to the photographic standards specified. Our Council wish to be consulted on the local Viewpoint selection when the final OHL application route is decided and prior to work on the LVIA.

Owing to the horizontal nature of this proposal, we also suggest that for key viewpoints within this scenic stretch of coastline The Highland Council Single Frame Panoramic Viewer is utilised as described in Section 5 of their Standards.

For a development of this scale good quality mapping is extremely important, not just to give detail of the positioning of pylons and lines, but also some clear estimation of AOD heights of the infrastructure. The current scale of mapping used by the applicant, SSEN, and presented to our community, in the Scoping Document and on their website is virtually devoid of contours which makes it almost impossible to assess the sky lining effect of the OHL. Regardless of file size implications and an obvious requirement for a number of maps to cover each section of the route, we therefore strongly request that more detailed base mapping at 1:25 000 or at very least 1:50 000 OS is used in the application EIA.

We further request that map references and AOD information is supplied for proposed pylon positions as part of the development information provided.

Our Council also has concerns about the possible number of visible permanent and temporary access tracks which may be required across the SLA slopes. This feature of the development is given little attention in the Scoping Report. While we hope that helicopter delivery of major components can be used whenever possible in our area, such permanent tracks cause considerable visual scarring, and in our environment, temporary tracks take decades to heal over, and in many cases, re-vegetation is rarely successful. All major access tracks should therefore be included in all mapping of the OHL route, within the visualisation terrain model and be included in all the visualisations where they are likely to be visible. (THC Standards 2.23).

- Conclusion

The importance of our scenic local environment demands the most sensitive balancing and route selection while mapping and visualisation remain the only readily accessible sources of information for members of our community. We therefore hope that you will take account of all our suggestions and requirements in your response to the Applicant's Scoping Request.

Sincerely

Becky Clay

for Brora Community Council

Response from Contin, Strathpeffer, and Marybank, Scatwell and Strathconon Community Councils

1 Scope of our response

This response is from Contin, Strathpeffer, and Marybank, Scatwell and Strathconon Community Councils. Better Cable Route campaign group has also been consulted. Where appropriate, it covers only Sections D and the interface with Section E.

2 Description of development

S2.2 A clear statement of need will be needed. Exactly how much capacity for the link? Is this nameplate capacity, average power, or what? How much of the time will the design capacity be needed? How could peak requirement be managed down? What alternative approaches (route, technology, overall approach) have been considered, bearing in mind eventual needs for 2050? To date, any request of SSEN for sight of their high-level optioneering has resulted in no information being provided. Schedule 4 Clause 2 of the 2017 Regulations is relevant here.

p2.4.1 Clarify Fanellan. This is not Beauly (Balblair) substation. Fanellan is currently a green field. We note that the HVDC connection to Arnish is also terminating here and are concerned that Fanellan will become similar in size to the very large substation at Balblair. It will be the meeting point for at least four high power lines, handling 7.5 – 8 GW.

p2.5.2 100 m LOD noted. This is significant in terms of the impact on individual properties.

P2.6.1 is unclear. Is the maximum height 70 m, or not? Words are unclear.

P2.6.1-2. All locations where it is expected that tower height will exceed 57 m should be identified in the final plans. We accept that inter-tower distances of <350 m will be needed occasionally to accommodate deviations and obstructions on the ground, but locations where two or more distances consecutively are expected to be <350 m should be identified on plans.

P2.9.2 4-year work programme is not ideal for developing local labour. Specialist skills required are unlikely to settle and will place a strain on local accommodation, displacing tourists. Who will spend more?

P2.9.4 Effect/practicability of working in hours of darkness?

Table 2.1 What about UV light emissions from corona discharge during operation? https://pmc.ncbi.nlm.nih.gov/articles/PMC4232876/

S2.12 We note that the application is in perpetuity – no plan to decommission.

3 EIA methodology

P3.4.5 This is extremely important and nothing has been provided so far, despite asking.

P3.6.2 This must consider the cumulative effect of the proposed development, its associated and ancillary works (e.g. the new substations, the new permanent access tracks and timber clearances, and other electricity developments nearby, especially wind turbines and the additional transmission infrastructure that is likely to be required to service these developments. **Table 3.3 is woefully incomplete in our area and must be updated.**

4 Summary of route sections

No response needed

5 Planning policy

Pp5.2.4-5 We accept that this scheme is a National Development as envisaged by NPF4, and therefore there is no need to prove need in general terms. However, this designation does not provide any relief from the requirement to comply with planning legislation and policy. We expect to see a robust justification of the specifics of the project – power capacity requirement, possible future capacity requirements, transmission technology and choice of route, as required by Schedule 4 Clause 2 of the 2017 Regulations, see also 3.4.5.

P5.3.1 We accept the application of HWLDP in the absence of a plan formulated specifically under NPF4. We note the full content of Policy 69 in this plan and look forward to seeing a case that demonstrates that the requirements of this policy and other applicable policies have been met.

6 Landscape

P6.4.1 Assumed that landscape impact beyond 10 km is negligible. This is 0.34°, which seems reasonable in undulating areas such as Section D. It may be less so further north, where there are open horizons.

SS6.5, 6.6 We would expect the landscape impact to take account of the current, essentially rural, landscape and the effect that creeping change and cumulative impact are having on this rural character.

We note that the Ben Wyvis WLA and SLA are specifically identified in Table 6.2, but it is the nature of landscape that it does not stop at lines on a map. We would expect these areas to be interpreted broadly and for the impact of the proposed scheme on broadly similar landscapes in the area to be considered fully.

Although Srath Sgitheach does not have any specific landscape designation, it shares characteristics with other designated areas and will be similarly impacted. See also comments on Section 9.

Strath Conon also has an essentially rural character, apart from the existing 132 kV overhead line. The proposed 400 kV line will be significantly more obtrusive, and we are concerned that

other developments proposed in the area will require further reinforcement of the electricity transmission system, transforming this rural valley into a power-transmission corridor, particularly evident from the elevated position of Jamestown and for visitors arriving from the east along the A835.

S6.7 There is no list of suggested viewpoints for which impact will be considered, although they are shown on on-line mapping. We note and support the use of The Highland Council Visualisation Standards for Wind Energy Developments (2016). These guidelines should be strictly adhered to particularly with respect to the photographic standards specified. We appreciate that some adjustment of these viewpoints will be needed when visibility is assessed from each, in order to give a clear view of the likely impact. For this reason, we suggest the photographs are taken when trees are leaf-less.

We suggest additional viewpoints are needed from an appropriate point in Contin village, and from the Coul House Hotel and/or Mid Coul. There should be a view from a suitable point on Strathpeffer Golf Course, either the clubhouse or the 10th hole. If either or both of options D1.3 or E1.1 are selected, then additional viewpoints will be necessary. Our Councils wish to be consulted on the local Viewpoint selection when the final OHL application route is decided and prior to work on the LVIA.

P6.7.7 We are concerned particularly about the impact on the large number of users of the highly-accessible land around Loch Kinellan, and the users of the highly-accessible parts of Contin Forest. The linear tree-free corridors required by OHLs will have deleterious effect on the latter. We would also expect measures to be taken to minimise the appearance of the line on the skyline, and we ask for skyline sections to be highlighted on plans. Measures to reduce impact might include dividing the circuits, for which a precedent exists at NH 643 730.

p6.7.8 We would expect data collection to monitor access to key areas including Contin Forest and Loch Kinellan, over an adequately long time to capture seasonal variability in use.

S6.8.8 There will be impact through introducing new features to the landscape, viz. lines of towers, and straight lines of maintained clear-felled areas. Mitigation might include aligning the route so that clear-felled lines do not align with highly-accessed locations.

S6.9.4 How will this conclusion on significance be drawn in an un-biased way?

Table 6.3 We would hope that significance will be no more than ‘minor’ and preferably ‘negligible’.

P6.11.3 see the comment on the inadequacy of Section 3.6 above.

P6.12.1 **The ‘as far as possible’ proviso attached to 170 m standoff is not acceptable, neither is ‘wherever possible’ attached to the 100 m minimum.** At these distances, comfortable viewing of the top by an observer on the ground would result in tilting the head. Notwithstanding this concern, we would expect the EIA to identify all sections of line within 170 m and 100 m of occupiable properties.

P6.13.4 In general visibility will be greater in winter. There is also the possibility of particular positions of the sun greatly increasing visibility, by reflection from the cables. Consideration should be given to this possibility.

P6.14.4 The working hours given in Section 2.9.4 will result in working during hours of darkness during winter.

P6.14.5 As noted above, we have reservations about this. At 170 m, the standard tower still presents a visual angle of 18.5°.

In general, we expect that the relevant section of National Grid's document "A sense of place" will be used in reverse, to avoid the newly developed OHL generating the scenarios that are advised against when siting new development around an existing power line.

7 Ecology

No response, we assume specialist responses will cover this.

8 Ornithology

No response, we assume specialist responses will cover this.

9 Cultural heritage (includes archaeology)

9.3.1 Although information on designated cultural heritage assets and many non-designated assets is available via Historic Environment Scotland (HES), the data available on NRHE/Canmore is far from comprehensive in terms of non-designated assets. The Highland Historic Environment Record (HER) maintained by the Highland Council holds additional information on non-designated assets but we understand that there is currently a nine-year backlog on inputting records submitted for inclusion on the HER. Many records which do appear on the HER are difficult to interpret without careful interrogation as one record regarding, for example a forestry survey, may cover a large cluster of sites from different periods in different locations within the area surveyed.

During the various consultation phases for the Spittal-Beauly proposals, many local heritage groups along the route offered assistance in terms of sharing their information and knowledge (which is in many cases extensive, reflecting ongoing research over a substantial length of time) with the developer. These offers have been largely ignored.

Taking these factors into consideration, the 'extensive baseline assessment' referred to 9.3.1 is definitely far from being comprehensive in terms of recorded sites. This therefore means that the baseline assessment presented is far from complete.

Moreover, since very little of the area along the route has been systematically surveyed, there are, in all likelihood, huge numbers of unrecorded sites. Will a systematic survey be undertaken?

9.3.4 It seems strange to assert that 'there is a higher likelihood of identifying Pictish sites in the Northern Lowland sections of the route than further south'. The most visible traces of the Picts in the landscape – carved symbol stones – can be found right down the east coast from Caithness to Inverness and east into Moray. There has to date been little systematic surveying for sites such as settlements and burial grounds but that does not mean that these do not exist – merely that they have not been found yet.

9.3.5 Although Helmsdale with its Clearances monument is an important focal point for visitors whose families were affected by the Highland Clearances, the fact is that it is the

cleared settlements themselves which hold even more resonance for the descendants of the evicted people. There are inaccurate statements that indicate a lack of knowledge and understanding of the cultural significance of clearance sites across the Highlands, and highlight the lack of attention to place-based intangible heritage evident in the scoping report relevant not just to Section D of the route but to the route in its entirety.

9.3.9 It is disappointing and remiss of the report not to mention the wealth of archaeology in the same strath. The strath floor and hillsides are rich in cup-marked stones, there is a remarkable Pictish carved stone at Strathpeffer, there are holy wells, the medieval Castle Leod and its surrounding landscape and settlements (as well as the likelihood that the current Castle is predated by a Norse fortified site), and archival evidence of medieval and late medieval settlements and farming. The strath, the Heights and Srath Sgitheach are all also an important element of the archaeological and cultural landscape of the impressive Iron Age fort of Knock Farrel, one of the best examples of its type in Scotland.

9.3.10 No mention has been made of the church at Contin established in mediaeval times and its significance as an early Christian site. Intangible heritage linked to the Battle of Park (Blar na Pairc) in the 1490s is absent, as is mention of the crannog at Loch Kinellan and the cultural heritage traditions relating to Preas Mairi at Contin.

The cultural heritage significance of the landscape views from Knock Farrel have been omitted. This comment also applies to Section D2 as the fort has extensive views over and beyond Strathconon.

In terms of cultural heritage, the scoping report fails to:

- properly recognise the cultural value which many of these landscape features carry for local communities and visitors
- acknowledge in more than passing terms the value which sites have not just individually but as elements of the wider cultural heritage landscape
- take cognisance of the intangible heritage inextricably linked with the landscape along the route. The mention of assessment of intangible heritage as part of the last bullet point in 9.8.3 is less than reassuring, especially as no details are given as to how the assessment would actually be undertaken. Archaeologists are rarely expert in intangible heritage and this kind of research should be undertaken by appropriately qualified people with a deep understanding of the intangible heritage of the Highlands.

It is a major weakness of the methodology proposed in Section 9.8 that it fails to recognise the cultural importance of the many 'receptors' (recorded and as yet unrecorded) and historic/cultural landscapes along the route or to propose any way to assess the impacts (social and economic) which the development of massive OHL infrastructure will have on these. The degradation of such important landscapes is nothing less than a direct attack on the heritage of local communities and their diasporas. It will directly impact on sense of place for local people and visitors. It will also undermine the value of local heritage and sense of community, and will have a direct effect on community well-being and confidence. If you tell communities that their heritage is not worth protecting, you are sending a very strong message that their culture and community is of no importance. Why has no effort been made to recognise or quantify this?

The assessment methodology also fails to identify or set out measures to measure the likely effects of degradation of the historic environment and intangible heritage assets in tourism terms.

Lastly, we note that 9.8.3 (list of research resources) fails to identify the major value of research carried out by local heritage organisations and amateur experts, often involving local people with archaeological qualifications and invaluable hands-on experience of surveying their local 'patches'.

10 Geology

No comment.

11 Water environment

Table 11.14 Enquiries suggest that not all private water supplies in the area affected by option D1.3 have been identified by the approach used. Table 11.14 should be updated during production of the EIA because there are newly-registered supplies.

11.5.4 Consideration needs to be given to the risk of damage to towers as a result of large debris carried by flood waters, e.g. trees.

11.5.9 It is the nature of mitigation activities that sometimes they fail. The movement of groundwater in fractured rocks is unpredictable and possibly fast. We recommend that potentially hazardous activities are not undertaken in likely drinking water supply catchments, nor the catchments to stream headwaters. Such potentially hazardous activities include the storage of fuels and other toxic chemicals, the re-fuelling of vehicles, and the emplacement of cementitious material in the ground.

11.5.13 The use of the Sichardt equation is not supported by the hydrogeological profession and it is not found in standard hydrogeology texts, see https://www.mdpi.com/2073-4441/14/2/149. It appears to be based on radially symmetric porous medium flow, an assumption that cannot be justified in the fractured low-porosity rocks that dominate the line route. It also uses as input a hydraulic conductivity value, that is not going to be available. A significantly more nuanced approach is needed, accepting that fractured rocks are difficult. Given that alternatives to the existing private water supplies are not practicable, a very conservative approach will be needed.

12 Traffic and transport

12.2.2 It is important that the EIA identifies all locations where improvements to roads and bell-mouths are required.

12.6.4 Note that traffic in parts of the area is strongly seasonal and is affected by short-duration events such as public holidays. The proposal to monitor traffic for only a week is wholly inadequate; we would suggest that monitoring for a full twelve months is required.

12.6.8 It should be noted that the road network in the project area is very sparse and there are many bottlenecks. Abnormal loads have the potential to cause major disruption. For example,

if the A835 between Contin and Garve (6 miles) is disrupted, the next shortest route is approx. 100 miles and involves single-track roads not suitable for all traffic. This section of trunk road is already challenging – it is narrow and has many blind bends and summits.

13 Noise and vibration

P13.2.2 We request that all occupiable properties within 500 m of the chosen line are identified on a map.

P13.2.3 typo ordnance.

P13.6.3 We would expect continuous noise monitoring and accept that this should be supplemented by spot measurements so that the continuous record can be set in context.

14 Forestry

No response, we assume specialist responses will cover this.

15 Recreation and tourism

Impacts under this heading are in two categories: during construction, and during operation.

We agree that there are two kinds of impact during construction: temporary or permanent disruption of established leisure assets such as trails, and reduction in the availability of tourist accommodation. The effect of these also depends on the duration and timing of the impact – a week in January is much less significant than the loss of a summer season, or coincidence with the annual Strathpuffer event. We note that the anticipated duration of construction is 4 years – this has the potential to be highly disruptive to accommodation providers, who may experience a severe downturn after they have been un-bookable for a long time. Potential loss of cheaper accommodation in Strathpeffer and Contin has a knock-on effect – accommodation is very sparse further west.

Strathpuffer is a major national event and a source of income to the communities of Contin and Strathpeffer. The Snowman motor rally has also used the tracks in Contin forest.

P15.3.2 We disagree with the third point here – it cannot be so easily dismissed with no evidence presented. Tourism is the livelihood of many people in our area.

Pp15.4.3 ‘ … in a way that least affects their recreational users.’ How is this defined? How much of a drop in use is acceptable? How is this to be assessed and quantified?

P15.4.5 ‘Therefore, the mitigation measures outlined in those chapters are also relevant for recreation and tourism.’ They may be relevant but are not comprehensive. How, for example, will the value of cultural and ancestral tourism be assessed in each area along the route? How will the geographic pattern of locations important for cultural and ancestral tourism visits be identified, and how will the likely impacts of development be measured and mitigated? What baseline information will the EIA report use to identify the nature, value and motivations for visitors within individual areas along the route?

P15.5.1 'There is no established guidance for conducting a recreation and tourism assessment as part of the EIA process. The assessment methodology will be based upon professional judgement …'. This does not inspire confidence in the impartiality of this assessment. Whose professional judgement? What relevant qualifications and experience in Highland tourism will these professionals have?

P15.5.2 This simplistic assessment does not take into account the sparse connectivity of the area, nor the very uneven distribution of accommodation. A more considered approach will be necessary. Tying up large amounts of accommodation in Strathpeffer will be very disruptive to coach tours. Businesses will take time to recover after having been unavailable for tourists for 4 years and there will be loss of income during this period. A 25% loss of income is not minor for most businesses.

S15.5.6 What publicly available sources will be used to identify key tourist locations and assets? The Strava heat map will provide information on the extent of use of Contin Forest by cyclists. We would expect the EIA to collect data on use of Contin Forest, a regional resource, and of Loch Kinellan, popular with Strathpeffer residents.

S15.5.9 Professional judgement by/on behalf of the developer is less than ideal. The views of local residents and businesses may be very different. How much quantitative experience of change assessment is there?

P15.6.2 Effects on the tourism economy after construction are of major concern to the area. We will expect to see a robust assessment of the possible effect. No-one comes to visit an area just to see the transmission towers! How much real evidence is there of the effect of OHLs on tourism where there is the option of going elsewhere. Most of what we have seen is hypothetical, rather than based on real comparison of 'before' and 'after.'

16 Issues scoped out

We accept the scoping out of many factors, save:

EMFs

S16.7 We note that the design intent is that the scheme will meet internationally agreed limits for non-ionising radiation and that this will be demonstrated by a compliance report submitted with the application. However, we expect that the ALARA principle will also be applied, just as it would be with ionising radiation.

Although the 'official' view is that there is no evidence of effect on humans from the kind of development proposed, there is considerable unofficial literature raising concern, and therefore doubt and fear. However ill-founded this might be, it is real and it affects people's decisions. How will this fear be addressed? Close proximity to a transmission line is not a strong selling point for one's house and there is a likely effect on property prices.

We would like to see some assessment of the effect of EMFs on organisms that sense magnetic fields directly, including some birds and perhaps lower organisms. We note that the AC magnetic field from a power line may be significantly strong than the Earth's steady field.

Population and human health

The very fact of this application is causing stress in some residents likely to be affected, and it is also causing community discord. This is likely to continue until at least construction is complete, and there will probably be some who feel that their quality of life has been permanently diminished and perhaps they should move elsewhere.

We feel that these 'softer' aspects of health detriment are being under-estimated.

16.9.2 'The impacts on population and human health for a development of this nature and scale are limited' gives us no confidence in the impartiality and robustness of the forthcoming EIA.

Socio-economics

S16.10 We are extremely disappointed that socio-economics has been scoped out of this report, and therefore we must wait until the application itself to see this. Socio-economic issues are of major concern to host communities. Comments in the text provided do not give us any comfort.

We accept that this project is a National Development as defined by NPF4, and therefore there is no requirement to justify the general need for some transmission upgrade. However, on page 97 of NPF4 is the statement "National development status does not grant planning permission for the development and all relevant consents are required." We therefore expect to see a robust demonstration that the specific proposed development meets all of the requirements of NPF4 Policy 11.

It is clear that there is benefit to the UK in general from a scheme of this general nature. However, there is no intrinsic benefit to the host region, which has sufficient local electricity generating capacity. There may be a local boost to the economy during construction, although this is not guaranteed because it is admitted that there will be disruption, Section 15. We are very concerned that there will be long term negative effect, from this scheme and from the cumulation of other schemes in the local area for which application has been made. Additional generation is planned, and it seems inevitable that additional transmission will be needed to service this. Very few tourists come to an area to see the electricity infrastructure.

We have seen how one scheme leads to another. The Balblair substation complex is now >13 Ha, is still growing, and is proposed to sprout a child at Fanellan.

There is very little long-term employment associated with electricity infrastructure. No direct benefits have been proposed to the local community so far, although we assume that a very few will benefit from modest way-leave payments. We currently 'benefit' from the highest electricity charges in mainland UK.

We would hope that the socio-economic report will identify that there are some genuine 'planning gains' and other local benefits associated with this development.

Summary of requests

Specific requests for information to be presented in the EIA are given above. To summarise, these are:

- It is essential that there are full details of the alternative options considered and the process used to determine the power transmission requirement for the line, the appropriate technology, and the general alignment including the decision not to upgrade the present 275 kV corridor, as well as detailed route selection;
- Plans to identify where the proposed line will be visible on the skyline;
- Identification of all habitable properties within 100 m, 170 m and 500 m of the proposed alignment;
- Identification of expected tower heights > 57 m and spans <350 m;
- List of viewpoints to be agreed;
- Visitor monitoring for Loch Kinellan and Contin Forest;
- Identification of all road and bell-mouth improvements;
- A robust demonstration that the specific proposed development meets all of the requirements of NPF4 Policy 11.

The digital tool provided is very useful. We ask that the additional information requested above is added to the digital tool as practicable.

We note that there are many places where it is indicated that SSEN's team will make 'professional judgements' on matters local to the proposal. These judgements need to be properly informed by local circumstances with which the consultants may not be familiar. We strongly suggest that there needs to be community input to these judgements.

Joyce Melrose

From: secretary@creichcommunitycouncil.org.uk
Sent: 19 November 2024 11:25
To: Econsents Admin
Subject: Creich CC scoping submission Spittal to loch Buidhe to Beauly
Attachments: Creich Community Council Comments on Scoping Spittal Beauly Numbered.pdf

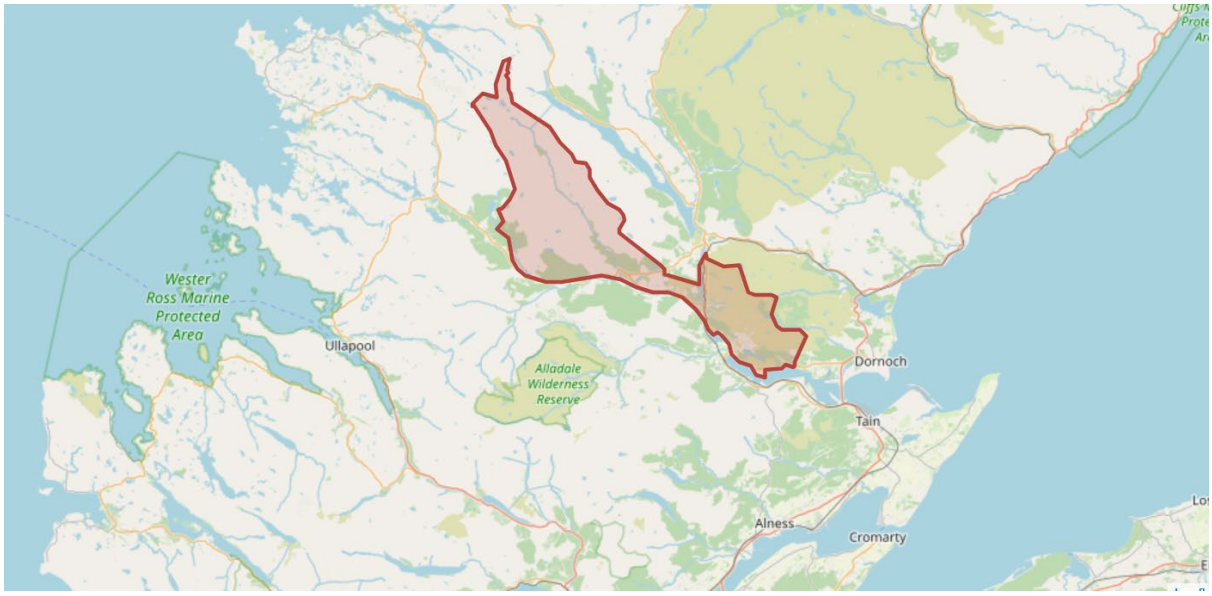
Hi Please find attached scoping submission as requested. Could you please confirm receipt of this.

--
Kind Regards

Secretary
Creich Community Council

secretary@creichcommunitycouncil.org.uk

Creich Community Council
Comments on the SSEN Proposal for a 400 kV Overhead Transmission Line Spittal/Loch Buidhe/Beauly



INTRODUCTION

This Document

1. This document is a response by Creich Community Council to a proposal by Scottish and Southern Electricity Networks Transmission (SSEN Transmission) for a 400 kV overhead transmission line from Spittal to Beauly. The proposal is described in SLBB 400 kV OHL Connection Scoping Report Final V01

Who We Are

2. Creich Community Council represent the people in arguably one of the most scenic and scenically diverse areas of the highlands, encompassing the north shore of the inner Dornoch Firth, the Kyle of Sutherland and the north bank of the Oykel to the watershed at Assynt in the West. There are straths, rivers, mountains, and the tidal waters of the Kyle. Views can be intimate or panoramic with wide skies and colours and textures that change with the seasons. Particularly iconic are the views of Carbisdale Castle from all directions.
3. The people we represent are, almost without exception, opposed to the intrusion of this transmission line proposal as an object in itself and as an addition to the multiple and proliferating wind farms that litter our parish.

The Basis of Our Objection

4. The overarching basis of our objection is that this proposal is inequitable.
5. We suffer all the loss, intrusion, commercial and cultural damage, but with no benefit.

6. Whereas, if power transmission must proceed, alternative, feasible and proven methods can be used to deliver the power south without more lines of pylons crossing our area and the Kyle.

7. In a wider sense the export of power south and onwards gives the North of Scotland nothing.

8. In fact, it is a disbenefit to us as our power is distributed to benefit Government policies that already charge us premiums on the power we get.

9. The idea that standing charges are higher in Scotland to maintain the transmission lines that are being built entirely to feed other areas is obscene. We produce an excess for our needs, but it is exported and then we have to buy it back.

Our Position

10. Creich Community Council, representing the people of Creich and sharing in the representation of others affected in the area consider that:

    - The power generated in the North of Scotland should be used to benefit the people of the North of Scotland. This scheme offers nothing but disbenefit whereas we have local transmission systems that need to be strengthened, and we have users who struggle to afford power.
    - If, as seems likely, the purpose of this line is to deliver power considerably further south then a subsea line is optimal.
    - If a transmission system is imposed on us then it should not be by overhead transmission, but by burial along its length.
    - If burial along the whole length is refused, then burial through the most sensitive scenic areas is essential. This applies in particular to the crossing of the Kyle of Sutherland.

11. It is wrong that we cannot be fully informed on the need for this line, its purpose and relationship to existing power lines and the information that underlies decision making about the methods and technologies of the transmission line.

THE PROPOSAL BY SSEN

The Scoping Report Section 1

12. Information about the proposal is set out in a report titled ‘Spittal to Loch Buidhe to Beauly 400 kV OHL Connection EIA Scoping Report’ [Scoping Report].

13. The report has the name SLBB 400 kV OHL Connection Scoping Report Final V01.

14. Two maps ‘Appendix A Figure 4.3 Section C’ and ‘Appendix A Figure 4.4 Section D’ are relevant to our area. The first is the map that shows the crossing of our Community Council area and the Kyle of Sutherland and the second the proposed route for the pylons to the south that will visually intrude on our landscape

15. The issues the applicant invites us to consider are set out in Section 1.5.2 and the issues they wish to be ignored are set out in 1.5.3 of the Scoping Report.

16. These are:

    1.5.2 Environmental topics identified for assessment in the EIA Report are:

Landscape and Visual Amenity;	Ecology and Nature Conservation;
Ornithology;	Cultural Heritage;
Geological Environment (Soil, Peat and Geology);	Water Environment (Hydrology and Hydrogeology);
Traffic and Transport;	Noise and Vibration;
Forestry;	Recreation and Tourism;
Climate Change (Land Use Change Carbon).	

17. Other Issues that the Applicant considers can be Scoped out of the EIA Report are in 1.5.3 as follows:

Land Use;	Air Quality;
Material Assets and Waste;	**Major Accidents and Disasters**;
Electric and Magnetic Fields;	Radio and TV Interference;
Population and Human Health;	**Socio Economics**;
Climate Change (Life cycle/embodied Carbon).	

18. Of this second set we consider that, at least, those highlighted in bold and underlined should be considered.

19. Land use is intimately connected not only to the socio-economic structure of our community with its heavy emphasis on tourism and farming but also to the well-being of our community in general and individuals in particular who will suffer (further[1]) trauma from the despoliation of the visual amenity.

20. This visual amenity must not be thought of as only a tourist 'sightseeing' element – although that underpins commercial benefit. The view of the land and the relationship of the population to the land and the waters is close. It is part of our understanding as a community.

21. We do not accept that EMF may be 'scoped out' for HVAC overhead and buried lines – it remains a concern for many people. It can, however, be almost entirely avoided if DC transmission is used.

22. We are concerned that overhead power lines will face an increasing issue in future from presently unlikely events. This brings with it the risk of moor and woodland fire caused by clashing cables or pylon collapse. This can be mitigated by burying the cables.

Subsea Cable as an alternative

23. Section 1.6 of the Scoping Report discusses Corridor, Route and Alignment Selection. We take issue with the 'Corridor' and consider that, if power export from the North to distant areas of need in the South is a national target, then the route should be by sea rather than by land.

24. There are several other transmission lines that are subsea that demonstrate feasibility. Indeed, SSEN are involved in the deployment of up to five HVDC electricity transmission

1 An incredible number of wind farms exist, are in the process of development or are being proposed in our area. See Table A at the end of this document. The community's experience of these and other grid developments means we are very well aware of the disruption caused by, for example an extension to the Loch Buidhe sub-station.

superhighways to enable renewable power to be transported from northern Scotland to areas of higher consumption in the south[2].

25. We also consider that a subsea route could carry levels of power that would give the existing grid lines more flexibility to take future load. That is, we suggest a subsea route would not have upper-level power constraints and would relax pressures on existing high-voltage lines.

HVDC as an alternative

26. Nowhere in the Scoping Report is the option of High Voltage Direct Current [HVDC] transmission discussed[3]. If export of power over considerable distance to the south is necessary, then HVDC is an ideal and established option[4].

27. We refer not only to various subsea lines worldwide but also to the HVDC line from the Western Isles to Beauly that is (obviously) subsea from the islands but is also proposed to be buried thereafter.

28. A totally buried line would be the only variation from a subsea connector that we would consider.

29. It is interesting that elsewhere in the world – in Europe and in the USA - HVDC transmission is part of 'long term strategic grid plans including key roles for multi-terminal HVDC overlay grids as the bulk electrical energy carrier of choice[5].'

30. The UK has also commissioned the 1400 MW 765 km HVDC Viking Link the world's longest interconnector and National Grid have a Framework worth £21.3 billion for HVDC cable.

31. We wonder if we missed the consultation where the various power transmission options were considered/compared and parameters affecting decisions made transparent.

32. It is unfair that we have to accept as the sole arbiter of method, the organisation that will most benefit from minimum costing.

The Scoping Report Section 2

33. The proposal itself is described in Section 2 of the Scoping Report, but the rationale is given in the Executive Summary of the Scoping Report as:

34. In order to support the continued growth in onshore and offshore renewables across the North of Scotland, supporting the country's drive towards Net Zero, further investment in electricity transmission infrastructure is needed to connect this renewable power into the grid **and transport it from source to areas of demand across the country**.

35. We have highlighted the last phrase as it is important to us. We are not an 'area of demand' although we have a local medium/low voltage grid that requires very major strengthening and modernisation, and which inhibits some other, equally valuable, renewable development.

2 https://www.powerengineeringint.com/smart-grid-td/td-infrastructure/five-hvdc-stations-to-transmit-power-from-scotland-to-the-south/

3 There is reference to smaller scale links at some locations but no consideration of main links HVDC.

4 https://www.dnv.com/article/2023-was-a-pivotal-year-for-HVDC/ . This article by DNV considers the growing enthusiasm for HVDC as a cost-efficient transmission system. It gives a good review of the projects in the UK, Europe and the USA.

36. This project is not for our benefit – we are a stretch of inconvenient ground that must be crossed to serve the need to attack climate change and to serve the power demands of other parts of the UK.

37. We completely accept the need to attack climate change. We do not accept that we should give up so much for a minimum cost transmission system.

38. The Scoping Report sets out some 'formalised' questions for us to address.

39. At this point in our submission, we wish to address three questions from the Scoping Report :

Have we adequately explained the need for this project?

Do you have any other comments or concerns in relation to the transmission infrastructure requirements or about the preferred overhead line route/substation locations?

Are there any factors, or environmental features, that you consider may have been overlooked during the preferred overhead line route and/or substation location selection process?

40. There is a sad dearth of background information on strategic decisions and discussion of engineering options in the Scoping Report. It is as if the concept of overhead transmission came fully formed to the developers.

41. We would like answers to these questions:

- Why is this proposed OHL required? Is it capacity only? Can subsea cables not transmit the required power to the 'areas of need'?
- Would the present transmission system be adequate if substantial power were transmitted subsea? What are the perceived weaknesses in the existing system that have not been explained?
- What benefits does this new line give to the national grid system **in the Highlands** that would not be gained by a subsea route?
- Why has HVAC transmission been selected as opposed to HVDC which, we note, has been selected for the Western Isles link. The distance from generation to 'area of need' for this transmission is ideal for HVDC and not for AC.
- If there is a need that has not been specified for intermediate connections of renewable energy would this not be better served by a DC link as the renewable generators on land are mainly DC providers?

The Scoping Report Section 5

42. In line with these basic questions, we move to Section 5.2 which appears to be the ground on which the proposal is based. In Section 5.2 the underpinning for the proposal is apportioned to the Scottish Government National Planning Framework.

43. It is worth setting out how SSEN frame their rationale for the engineering of their proposal

National Planning Framework 4

5.2.1 NPF provides a framework for long-term spatial development in Scotland. The fourth National Policy Framework (NPF4) was adopted by the Scottish Ministers on

*13 February 2023, following approval by the Scottish Parliament in January. **It sets out how planning and development will help Scotland to achieve a 'net zero, sustainable Scotland by 2045.**' It confirms the necessary shift required to achieve net zero-emissions by 2045. It will also 'play a critical role in supporting nature restoration and recovery' and will be followed by a Scottish biodiversity strategy which will set targets for 2030.*

44. There is nothing objectionable in a drive for Scotland to meet its own needs and develop an efficient, modern, low loss transmission system. It is, however, objectionable to use the target highlighted in bold as a mechanism for generation and then transmission outwith Scotland. They continue:

5.2.2 NPF4 confirms that a concerted effort to work together with communities will be required so that the transition to net zero and nature recovery is fair to all. One of the four key actions identified for Scotland's north and west islands and coastal communities is to Strengthen Resilience and Decarbonise Connectivity by improving grid connections. This will actively facilitate decarbonised heating and electricity generation and distribution.

45. Now we enter into targets that we can agree with, but which we do not see as being met. 'Fair to all' is not an outcome of these proposals. The burdens fall unfairly on our community without any benefits.

46. Equally, these proposals do <u>not</u> improve grid connections. In fact, they duplicate existing power lines and offer nothing new. At the least HVDC transmission would simplify connections for new generators, would reduce energy losses and would comfort those who are concerned with EMF issues.

47. SSEN continue:

5.2.3 Moreover, the NPF4 identifies the need for a significant increase in electricity generation from renewable sources to meet the net zero emissions targets and that the electricity transmission grid will need substantial reinforcement and additional infrastructure to achieve this. Developments that fall within one or more of the following categories will be designated as National Development:

- "Electricity generation, including electricity storage, from renewables of or exceeding 50 megawatts capacity;
- New and/or replacement high voltage electricity lines and interconnectors of 132 kV or more;

  and
- New and/or upgraded infrastructure directly supporting high voltage electricity lines and interconnectors including converter stations, switching stations and substations."

48. The SSEN interpretation of this seems to be 'the scheme we first thought of' – that is, essentially more of the same old overhead pylon lines.

49. On the other hand, in other situations – notable, the Western Isles Interconnector we have a similar problem attacked very differently. The Spittal to Beauly scheme is high voltage overhead lines while the Western Isle Interconnector is buried HVDC. We are entitled to ask - what are the differences that drive such different engineering topologies?

50. The crux of SSEN's argument lies in the 5.2.4 of their document and is highlighted here in bold.

*5.2.4 NPF4 identifies 18 National Developments described as: "significant developments of national importance that will help to deliver the spatial strategy". Developments proposed as National Developments are acknowledged as projects expected to provide substantive support to the economy of Scotland in terms of direct and indirect employment and business investment, with wider economic benefits. It adds that: "**Their designation means that the principle for development does not need to be agreed in later consenting processes, providing more certainty for communities, businesses and investors."***

51. SSEN seem to interpret 'the principle does not need to be agreed in the consenting process' as 'only one engineering solution can be considered and it is the one we first thought of.' That is not correct and we very much doubt that the Scottish Government framework has any opinion on technological choices.

52. Equally, we see no evidence presented that this is indeed within the class of "… projects expected to provide substantive support to the economy of Scotland in terms of direct and indirect employment and business investment, with wider economic benefits."

53. We insist that we get to see the arguments about this support to employment and benefits to business. On the other hand, we can very clearly see that it benefits the organisations involved in assisting the commercial use of power. If this was truly a power route that would benefit Scotland, then HVDC would allow 2- way transmission for when Scotland needs it. As configured it is a one-way route to market.

54. Section 5.2.5 says:

5.2.5 The Proposed Development is a National Development under NPF4. The Proposed Development falls within the category of National Development 3 (ND3) "Strategic Renewable Electricity Generation and Transmission Infrastructure…support renewable electricity generation, repowering, and expansion of the electricity grid. The location for ND3 is set out as being all of Scotland and in terms of need it is described as: "Additional electricity generation from renewables and electricity transmission capacity of scale is fundamental to achieving a net zero economy and supports improved network resilience in rural and island areas."

55. Nothing in the SSEN proposal follows from this paragraph. The Spittal to Beauly line does not improve network resilience in our rural area. In fact, the proposal passes through our area without adding anything to our local grid and, on the other hand, undercuts our tourism industry . . . and yet it does not have to be like that – feasible engineering alternatives exist.

56. The following paragraph makes plain that on or offshore transmission falls within the Framework and at no point does it specify overhead AC transmission.:

5.2.6 The designation and classes of development which would qualify as ND3, are: "A development contributing to 'Strategic Renewable Electricity Generation and Transmission' [in the location described], within one or more of the Classes of Development described below and that is of a scale or type that would otherwise have been classified as 'major' by 'The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009', is designated a national development: (a) on and off shore electricity generation, including electricity storage, from renewables exceeding 50 megawatts capacity; (b) new and/or replacement upgraded on and offshore high voltage electricity transmission lines, cables and interconnectors of 132kV or more (emphasis added); and (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.

57. Section 5.3, discussing 'Local' Planning Policy would not be relevant except at route terminations if a subsea connector were built instead of the overhead line.

58. Local Policy would, however, apply to a buried line and to various works at connection points.

59. Local Policy 69 provides support for proposals which are assessed as not having an '*unacceptable significant impact on the environment, taking into consideration mitigation measures.'* No mitigation measures have been set out by SSEN for the impact the overhead lines will have on Creich Community, our visual amenity, our community and our critical tourism industry.

60. Section 6 gives detail that assumes overhead transmission will be the answer.

61. It does, however, at 6.2.2 note that 'Underground cables could be required in association with the Proposed Development.' If 'could be required' became 'are required' then the proposal becomes more acceptable.

62. SSEN have not made a real case for selecting HVAC on overhead lines over buried HVDC or a subsea HVDC cable and consulted with the community affected.

SAFETY, RELIABILITY AND POWER LOSS

63. Denmark decided in 2009 to underground their entire 132kV and 150kV transmission systems to improve energy security[6]. Their concern was with weather changes and ice and wind loading on overhead lines.

64. Such weather damage tends to affect overhead lines in the same spatial area which often fail at same time causing large 'common cause' disturbances.

65. Overhead transmission lines are also susceptible to deliberate damage.

66. In the Highlands of Scotland, moor and woodland fires started by molten particles released from conductor clashing or conductor contact with vegetation or ground could be an additional hazard.

67. Buried cables mitigate these effects and, in particular, the uncertain impacts of climate change.

68. In fact, underground cables have superior overall reliability to overhead lines, lower line losses, lower operating costs and are essentially immune to storms and icing.

69. According to [7] with regard to reliability, the failure rate of a buried line drops from 14 failures per 100 km/year to ~0.3 failures – a reduction factor of around 50.

70. Reliability is reduced at DC/AC conversion sites but that is changing as higher efficiency two-way inverters are developed. It is also the case for the proposed line that the number of converter stations could be minimised to improve reliability as it seems the end user for the power is a great distance away.

6 Comparison of High Voltage Cables with Existing Overhead Lines to Increase Energy Security in the Westfjords of Iceland. Metsco Report: P-17-205-R0, 2017

7 ibid

71. HVDC underground cables also score in terms of capability to take power and have lower power losses pre 1000km. Again, power losses at converter stations have to be factored in, but they can be comparable with transformer losses and HVAC cable losses dominate over longer distances as shown in the table below.[8]

	117MW							
	HVAC				HVDC			
%	Components			Total Loss	Components			Total Loss
Cable Length	T1	Cable	T2		CS1	Cable	CS2	
50 km	1.6	2.21	1.49	5.3	1.77	0.59	1.93	4.26
100 km	1.61	5.31	1.25	8.04	1.79	1.04	1.9	4.73
150 km	1.62	16.28	1.1	19	1.78	1.1	1.89	4.77

72. Power losses in HVAC overhead cables will always exist unless a step change in science takes place. Power losses in conversion equipment will fall in time as engineering improvements are made. This is especially true of high-voltage DC equipment which is being heavily investigated and funded. Every percentage saving in power loss is a gain for Scotland's attack on climate change.

SUMMARY

73. Creich Community Council represents the community in a special part of Sutherland that stretches almost across Scotland from the Cromarty Firth to Assynt.

74. Our community is being assaulted with multiple visual and safety intrusions from wind generators and battery storage systems from which we do not get benefit commensurate with our lost amenity and tourism income (see Table A at end for list of wind generators).

75. The benefit to the landowners, the developers and the financial speculators vastly and unfairly exceeds anything that is returned to the community

76. Power lines are a separate class of intrusion in that they are expected to be a 'national benefit'.

77. The SSEN proposal shows that they do not differ from the wind farm developers in their inequitable emphasis on return to the developer, operator, and financiers.

78. We expect better from a project that forms part of the nation's infrastructure.

79. Alternatives to high-voltage AC, overhead cables exist. In many ways – except cost of installation - they can be shown to be more efficient, safer, and less intrusive. In the long term they are better.

80. We, perhaps, do not expect random speculators to be fair to the community, but we do expect Government to honour their commitment to make . . . "a concerted effort to work together with communities . . . so that the transition to net zero and nature recovery **is fair to all".**

81. We are totally opposed to overhead lines.

82. We will accept buried lines if they are for the purpose of supporting Scotland's contribution to reducing climate damage.

8 Comparative Evaluation of Power Loss in HVAC and HVDC Transmission Systems; Thu Win May, Yew Ming Yeap and Abhisek Ukil IEEE, 2016

83. We strongly urge alternative approaches in the transmission technology and location of the cables. HVAC overhead lines are cheapest and so contribute to speculator profits. They will, however, by their nature always lose energy. HVDC buried or subsea cables cost more in the short term but will lose less power in transmission, will become more efficient in time as conversion units improve and will mitigate the worst of the visual and commercial impacts on Highland communities.

TABLE A

WIND TURBINE GENERATION UNITS IN CREICH AND SURROUNDS

A total of 18 windfarms all having or needing a grid connection exist or are planned within an approximate 15 km radius of Bonar Bridge.

Wind Farm Name	Status as of November 2024
Achany	Operational
Beinn Tharsuinn	Operational
Beinn nan Oighrean	Operational
Rosehall	Operational
Lairg Estate	Operational
Coire na Cloiche	Operational
Lairg II	Approved
Garvary	In planning
Achany Extension	Approved
Strathrory	Approved
Strath Oykel	In planning
Acheilidh (aka Lairg III)	In planning
Allt an Tuir	Scoping
Coille Beith	Scoping
Creachan	Scoping
Inveroykel	Scoping
Balblair	Scoping
Braelangwell	Scoping

Golspie Community Council

13th December 2024

Energy Consents Unit
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RE: 400 kilovolt (kV) overhead transmission line (OHL) supported by steel lattice towers over a distance of approximately 167 km, between proposed substations at Spittal (Banniskirk), Loch Buidhe (Carnaig) and Beauly (Fanellan), rationalisation and crossing of existing transmission infrastructure.
Scottish Government ECU ref: EC00006008
Highland Council ref: 24/04588/SCOP

To whom it may concern:-

Response of Golspie Community Council

Golspie Community Council agrees with the need to upgrade the electricity national grid infrastructure to enable transmission of the power being generated currently and for those developments already approved or in progress; but remains in principle opposed to the above development unless and until certain key matters are resolved to the mutual satisfaction of our local residents, the Highland Council and government. This will only be achieved with meaningful, detailed negotiation with communities on the ground. These key matters are

1. The plan as it stands lacks any long term, strategic plan for regional energy infrastructure to 2030 and well beyond. The Highlands are already seeing a surge in applications for new onshore wind farms and battery storage facilities in anticipation of this new power line. There is every expectation that this trend will continue, unchecked and uncontrolled (destroying huge tracts of wilderness land in the process), motivated by pure profit, not by demonstrable national power requirement. It also flies in the face of Councillor Helen Crawford's motion passed by Highland Council for a region-wide strategic plan for all energy infrastructure developments in the area.
2. There has been no clear explanation of why existing power corridors cannot be used (e.g. the Dounreay line) or the lines (or sections of it) cannot be put underground or the number of subsea cables be increased as lines are being laid on the seabed anyway. Cost must not be the over-riding factor in the design of these projects. There is a serious lack of detail on the environmental, topographical & structural assessments done (if any) on the discounted options.
3. Sutherland is already at net zero and has been for some years, producing as it does more than 9 times more renewable electricity than the county's residents & businesses can consume, but pay one of the highest standing charges and have some of the worst

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Golspie Community Council

fuel poverty rates in the country. And yet very few of the benefits or profits of this development will be seen here. A just transition is imperative. An equitable policy would be to place renewable power installations nearer to centres of demand and bring those areas up to the level of Sutherland's already better than net zero performance.

In answer to the specific questions posed in the scoping application:-

1. **What environmental information do you hold or are aware of that will assist in the EIA described here?**

There is deep local concern about the impact of the pylons on the immediate environment, both visually and in terms of flora and fauna. The natural landscape amenities are very highly valued by residents and visitors alike, and there is real fear of the relentless industrialisation which seems to be going on in respect of electricity infrastructure throughout Sutherland.

SSEN should make available results from all the surveys commissioned into wildlife and birds particularly across the whole area; not just those in the selected corridors. The criteria for choosing the organisations conducting these surveys and their impartiality must be accessible for public scrutiny to ensure they are unbiased and meet the highest scientific standards.

2. Do you agree with the proposed approach for baseline collection, prediction and significance assessment?

There do not appear to be any clear criteria or quantitative metrics for the judgement and evaluation of effects in the 'significance assessment'. It should include visual impacts and harm to the natural landscape amenities appreciated by people (in a qualitative assessment), as well as undisturbed habitats for plants and animals (more quantative analysis). The proposed route through the Golspie Community Area crosses the crofting and agricultural settlement of Backies. Both qualitative and quantitative baseline data on the short term and expected long term impacts on the livelihoods of Backies' residents must be collected to include in the prediction and significance assessment.

It is not possible for communities to comment effectively on the 'significance assessment' for the long list of special protected areas and sites of special scientific interest including Loch Brora, Loch Fleet and the inland area of moor in Strath Fleet and Strath Carnaig, without a detailed set of standards against which the results will be analysed.

It is essential that local communities are fully involved in both the choice of assessment criteria and the collection of baseline evidence. Without this there will be no confidence in the results.

3. Are there any issues or possible effects which have been omitted?

There is reference to surveys of birds on Loch Fleet undertaken around thirty years ago, but no evidence of more up to date data. Many of these avian populations will be much more vulnerable now and any assessment should include up to date survey evidence. Failure to use current information follows an unacceptable pattern of SSEN using out-dated mapping systems in the initial consultations. If these consultations are to carry any

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weight at all, the extra time and expense must be expended to use the most recently available information and data: in fact there is a public duty on statutory bodies to do so.

4. Do you agree with the list of issues to be scoped out, and the rationale behind the decision?

The report will include an assessment on effects on tourism due to impacts on landscape amenities and how that would be judged. The environmental impact assessment must look beyond immediate mundane disruption and noise to long term degradation of landscape amenities including peace and quiet and relatively undisturbed hills, moorland and lochs. The visual effect of pylons stretching across Loch Brora is just one example of this, but again no information is available in the scoping document as to how that and the many other concerns will be evaluated by SSEN. Golspie Community Council would like an assurance that all these assessments will be carried out by an independent body, with no vested interest in the outcome. Any development which breaks the skyline must be subject to the same stringent appraisal as previous commercial wind farm applications and include affected communities in the choice of views and simulations used.

5. Of those issues identified for assessment, which do you consider the most important/material and which the least?

All identified issues are important and there should be more information about all impacts of construction, but the following are particularly important.

- Where will the access roads be and what volume of traffic is expected in different areas? What mitigation measures will be taken to reduce the damage to fragile ecosystems and soils?
- Is there any plan for removal of obsolete infrastructure if and when the high voltage line is completed?
- What is the estimated carbon footprint of construction (steel from China, fabrication abroad etc.), and does that outweigh the expected gain in domestic energy security and power generation from renewables?
- And what consideration has been given to the recycling/repurposing of the line and/or materials at the end of its/their productive life?
- The scoping report acknowledges that there will be a need to work on existing corridors where there are pylons and it would be important to make clear what this work is and if work is being undertaken on existing corridors, why it is that these corridors cannot take the new heavy duty pylons, thus obviating the need for a new pathway.

In the public meetings local people have asked repeatedly about alternatives such as underground or offshore subsea routes and also about the use of existing corridors. These matters have been dismissed as being more disruptive, impracticable, or just too expensive or all of the above, but with little or no evidence to justify the decisions. It would be helpful if these suggested alternatives were more fully dealt with so the case for the pylons can be made more clearly. Communities remain unconvinced that taking the high voltage power lines overhead is the only viable option for upgrading the electricity grid infrastructure.

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19th November 2024

Lee Stirrat
Scottish Government
Energy Consents Unit

by email: EconsentsAdmin@gov.scot.

Dear Lee,
ELECTRICITY ACT 1989 - THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR SPITTAL TO LOCH BUIDHE TO BEAULY 400 KV OVERHEAD LINE CONNECTION

Thank you for consulting Scottish Forestry on the Scoping Report for the proposed **SPITTAL TO LOCH BUIDHE TO BEAULY 400 KV OVERHEAD LINE CONNECTION** (proposed development). Scottish Forestry is the Scottish Government agency responsible for policy, support and regulation of the forestry sector in Scotland. As such we comment on the potential impact of development proposals on forests and woodlands.

The first consideration for all woodland removal decisions should be whether the underlying purpose of the proposals can reasonably be met without resorting to woodland removal. Scottish Government's Policy on Control of Woodland Removal clearly sets out a strong presumption in favour of protecting Scotland's woodland resources.
https://forestry.gov.scot/support-regulations/control-of-woodland-removal

In line with Scottish Government's wider objective to protect and expand Scotland's woodland cover, applicants are expected to develop their proposal with minimal woodland removal. Woodland removal should be allowed only where it would achieve significant and clearly defined additional public benefits.

The following criteria for determining the acceptability of woodland removal should be considered relevant to this application –

- ***Woodlands with a strong presumption against removal***
  Only in exceptional circumstances should the strong presumption against woodland removal be overridden. Proposals to remove these types of woodland should be judged on their individual merits and such cases will require a high level of supporting evidence.

Where woodland removal is justified, the Compensatory Planting (CP) area must exceed the area of woodland removed to compensate for the loss of environmental value.

- ***Woodland removal with a need for compensatory planting***
  Design approaches that reduce the scale of felling required and/or converting the type of woodland to another type (such as from tall conifer plantation to low-height, slow growing woodland), must be considered from the earliest stages, rather than removing the woodland completely. The purpose of any required CP is to secure, through new woodland on site (replanting) or off site (on appropriate sites elsewhere), at least the equivalent woodland-related net public benefit embodied in the woodland to be removed.

National Planning Framework 4 - Policy 6 Forestry, Woodlands and trees identifies several themes that should be considered relevant to this application –

b) Development proposals will not be supported where they will result in:
i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;
ii. Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;
iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;

c) Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.

d) Development proposals on sites which include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the site (in accordance with the Forestry and Woodland Strategy) are integrated into the design.

Conclusion
Scottish Forestry strongly recommend that Forestry has a dedicated and detailed chapter in the EIA report that addresses the polices set out in this letter. The chapter should include the impacts on all woodland types (commercial, native, non-productive)

The scoping report describes impact on woodlands for which there is a strong presumption against removal and are afforded additional protections and mitigations, as set out in the polices above.

Due to the geographical spread, variety of woodland types, multiple landowners and differing impacts; Scottish Forestry request the Planning Authority consider how the loss of woodland will be recorded to ensure that compensatory planting areas can be directly attributed to the loss. A detailed description of woodland impacts in the EIA report will demonstrate how woodland loss is compensated for on like for like basis in terms of productivity and native woodland, it will also highlight where enhanced Compensatory planting is required as set out in the Control of Woodland Removal Policy.

Scottish Government's policy on control of woodland removal: implementation guidance February 2019 https://forestry.gov.scot/support-regulations/control-of-woodland-removal provides guidance on the level and detail of information Scottish Forestry will expect within the EIA Report, to help us reach an informed decision on the potential impact of the proposed development. Detailed information on any compensatory planting proposals should also be provided.

All felling, restocking and compensatory planting proposals must be compliant with the UK Forestry Standard. https://forestry.gov.scot/sustainable-forestry/ukfs-scotland

The applicant should note that any compensatory planting required as a result of the proposed development, may also need to be considered under The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017. https://forestry.gov.scot/support-regulations/environmental-impact-assessment and should follow the process for preparing a woodland creation proposal, as set out in our guidance booklet: Woodland Creation Application Guidance. https://forestry.gov.scot/support-regulations/woodland-creation

Any additional felling which is not part of the planning application will require permission from Scottish Forestry under the Forestry and Land Management (Scotland) Act 2018 (the Act). For areas covered by an approved Long Term Forest Plan (LTFP), the request for additional felling (and subsequent restocking) areas needs to be presented in the form of LTFP amendment. https://forestry.gov.scot/support-regulations/felling-permissions

Please don't hesitate to contact me if you have any questions regarding Scottish Forestry's response.

Yours sincerely

Redacted

Dunstan Cribb
Operations Manager (Regulations and Development)
Highland and Islands Conservancy

Development Management and Strategic Road Safety
Roads Directorate

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TRANSPORT SCOTLAND
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Your ref:
ECU00006008

Our ref:
GB01T19K05

Date:
14/11/2024

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY (APPLICATIONS FOR CONSENT) REGULATIONS 2017

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR SPITTAL TO LOCH BUIDHE TO BEAULY 400 KV OVERHEAD LINE CONNECTION

With reference to your recent correspondence on the above development, we acknowledge receipt of the Scoping Report (SR) prepared by Environmental Resources Management (ERM) in support of the above development.

This information has been passed to SYSTRA Limited for review in their capacity as Term Consultants to Transport Scotland – Roads Directorate. Based on the review undertaken, Transport Scotland would provide the following comments.

Proposed Development

The proposed development comprises a new 400kV overhead transmission line (OHL) of approximately 167km, between new proposed substations at Spittal, Loch Buidhe and Beauly.

The OHL has the potential to impact both the A9(T) and the A835(T).

Assessment of Environmental Impacts

Chapter 12 of the SR presents the proposed methodology for the assessment of Traffic and Transport. This states that the assessment will be carried out in accordance with the Institute of Environmental Management and Assessment (IEMA) Guidelines, entitled Environmental Assessment of Traffic and Movement (July 2023).

These specify that road links should be taken forward for further assessment where the following two rules are breached:

- Rule 1: Include road links where traffic flows will increase by more than 30% (or the number of heavy goods vehicles will increase by more than 30%)

- Rule 2: Include road links of high sensitivity where traffic flows have increased by 10% or more.

Chapter 12 states that base traffic flows will be sought from THC, Transport Scotland, and the Department for Transport (DfT). It also states that the scope of the assessment will be agreed with Transport Scotland and THC, once the estimated trip generation during construction has been finalised. Transport Scotland is satisfied with this approach, however, given the potential for crossing both the A9 and A835 trunk roads, it should be noted that Transport Scotland will require to be satisfied that the proposed construction methodology will be carried out in a safe and efficient manner which will have minimal impact on trunk road users. It should be also noted that a Construction Traffic Management Plan will be required, and this should be discussed and agreed with the relevant Area Managers.

The SR states that existing access junctions "*would be utilised where possible or would be upgraded wherever necessary to accommodate construction traffic"*. We would state that any proposed changes to the trunk road network must be discussed and approved (via a technical approval process) by the appropriate Area Manager. The Area Manager for the A9(T) and the A835(T) is Graeme Paget who can be contacted at graeme.paget@transport.gov.scot.

It is noted that any impacts associated with the operational phase of the development are to be scoped out of the EIA. We would consider this to be acceptable in this instance.

Abnormal Loads Assessment

We note that it is possible that Abnormal Indivisible Load (AIL) deliveries will be required. If such loads are required, further routing studies and swept path analysis will be undertaken. This is considered appropriate and we would add that Transport Scotland will require to be satisfied that the size of loads proposed can negotiate the selected route and that their transportation will not have any detrimental effect on structures within the trunk road route path.

I trust that the above is satisfactory but should you wish to discuss any issues raised in greater detail, please do not hesitate to contact me or alternatively, Alan DeVenny at SYSTRA's Glasgow Office can assist on 0141 343 9636.

Yours faithfully

Redacted

George Smith

Transport Scotland
Roads Directorate

cc Alan DeVenny – SYSTRA Ltd.

Marine Directorate – Science Evidence Data and Digital (MD-SEDD) advice on freshwater and diadromous fish and fisheries in relation to the installation of overhead line developments.

Updated September 2023

Marine Directorate – Science Evidence Data and Digital (MD-SEDD) provides internal, non-statutory, advice in relation to freshwater and diadromous fish and fisheries to the Scottish Government's Energy Consents Unit (ECU) for the installation and maintenance of overhead line (OHL) developments in Scotland.

Atlantic salmon (*Salmo salar*), sea trout and brown trout (*Salmo trutta*) are of high economic value and conservation interest in Scotland and for which MD-SEDD has in- house expertise. The route of OHLs often cross watercourses which support important salmon and trout populations. MS-SEDD aims, through our provision of advice to ECU, to ensure that the installation and maintenance of these OHLs do not havea detrimental impact on the fish habitat and populations.

The Electricity Works (Environmental Impact Assessment) (EIA) (Scotland) Regulations (2017) state that the EIA must assess the direct and indirect significant effects of the proposed development on water and biodiversity, and in particular species (such as Atlantic salmon) and habitats protected under the EU Habitats Directive. Salmon and trout are listed as priority species of high conservation interest in the Scottish Biodiversity List and support valuable recreational fisheries.

A good working relationship has been developed over the years between ECU and MD-SEDD, which ensures that these fish species are considered by ECU during all stages of the application process of OHL developments and are similarly considered during the installation and maintenance of future transmission lines. It is important that matters relating to freshwater and diadromous fish and fisheries, particularly salmon and trout, continue to be considered during the installation and maintenance of future OHLs.

In the current document, MD-SEDD sets out a revised, more efficient approach to the provision of our advice, which utilises our generic scoping and monitoring programme guidelines (https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren). This standing advice provides regulators (e.g. ECU, local planning authorities), developers and consultants with the information required at all stages of the application process for OHL projects, such that matters relating to freshwater and diadromous fish and fisheries are addressed in the same rigorous manner as is currently being carried out and continue to be fully in line with EIA regulations. At the request of ECU, MD-SEDD will still be able to provide further and/or bespoke advice relevant to freshwater and diadromous fish and fisheries e.g. site specific advice, at any stage of the application process for a proposed development, particularly where a development may be considered sensitive or contentious in nature.

MD-SEDD will continue undertaking research, identifying additional research requirements, and keep up to date with the latest published knowledge relating to the

impacts of onshore wind farms on freshwater and diadromous fish populations. This will be used to ensure that our guidelines and standing advice are based on the best available evidence and also to continue the publication of the relevant findings and knowledge to all stakeholders including regulators, developers and consultants.

MD-SEDD provision of advice to ECU

- MS-SEDD should not be asked for advice on pre application and application consultations (including screening, scoping, gate checks and EIA applications). Instead, the MD-SEDD scoping guidelines and standing advice (outlined below) should be provided to the developer as they set out what information should be included in the EIA report;
- if new issues arise which are not dealt with in our guidance or in our previous responses relating to respective developments, MD-SEDD can be asked to provide advice in relation to proposed mitigation measures and monitoring programmes which should be outlined in the EIA Report (further details below);
- if new issues arise which are not dealt with in our guidance or in our previous responses, MD-SEDD can be asked to provide advice on suitable wording, within a planning condition, to secure proposed monitoring programmes, should the development be granted consent;
- MD-SEDD cannot provide advice to developers or consultants, our advice is to ECU and/or other regulatory bodies.
- if ECU has identified specific issues during any part of the application process that the standing advice does not address, MD-SEDD should be contacted.

MD-SEDD Standing Advice for each stage of the EIA process

Scoping

MD-SEDD issued generic scoping guidelines (https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren) which outline how fish populations can be impacted during the construction, operation and decommissioning of a wind farm and transmission line developments and informs developers as to what should be considered, in relation to freshwater and diadromous fish and fisheries, during the EIA process.

In addition to identifying the main watercourses and waterbodies within and downstream of the proposed development area, developers should identify and consider, at this early stage, any areas of Special Areas of Conservation where fish are a qualifying feature and proposed felling operations particularly in acid sensitive areas.

If a developer identifies new issues or has a technical query in respect of MD-SEDD generic scoping guidelines then ECU should be informed who will then co-ordinate a response from MD-SEDD.

Gate check

The detail within the generic scoping guidelines already provides sufficient information relating to water quality and salmon and trout populations for developers at this stage of the application.

Developers will be required to provide a completed gate check checklist (annex 1) in advance of their application submission which should signpost ECU to where all matters relevant to freshwater and diadromous fish and fisheries have been presented in the EIA report. Where matters have not been addressed or a different approach, to that specified in the advice, has been adopted the developer will be required to set out why.

EIA Report

MD-SEDD will focus on those developments which may be more sensitive and/or where there are known existing pressures on fish populations (https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/fishreform/licence/status/Pressures). The generic scoping guidelines should ensure that the developer has addressed all matters relevant to freshwater and diadromous fish and fisheries and presented them in the appropriate chapters of the EIA report. Use of the gate check checklist should ensure that the EIA report contains the required information; the absence of such information may necessitate requesting additional information which may delay the process:

Developers should specifically discuss and assess potential impacts and appropriate mitigation measures associated with the following:

- any designated area, for which fish is a qualifying feature, within and/or downstream of the proposed development area;
- the presence of a large density of watercourses;
- the presence of large areas of deep peat deposits;
- known acidification problems and/or other existing pressures on fish populations in the area; and
- proposed felling operations.

Post-Consent Monitoring

MD-SEDD recommends that a water quality and fish population monitoring programme is carried out to ensure that the proposed mitigation measures are effective. A robust, strategically designed and site specific monitoring programme conducted before, during and after construction can help to identify any changes, should they occur, and assist in implementing rapid remediation before long term ecological impacts occur.
MD-SEDD has published guidance on survey/monitoring programmes associated with onshore wind farm developments (https://www2.gov.scot/Topics/marine/Salmon- Trout-Coarse/Freshwater/Research/onshoreren) which developers should follow when drawing up survey and/or monitoring programmes

If a developer considers that such a monitoring programme is not required then a clear justification should be provided.

Planning Conditions

MD-SEDD advises that planning conditions are drawn up to ensure appropriate provision for mitigation measures and monitoring programmes, should the development be given consent. We recommend, where required, that a Water Quality Monitoring Programme, Fisheries Monitoring Programme and the appointment of an Ecological Clerk of Works, specifically in overseeing the above monitoring programmes, is outlined within these conditions and that MD-SEDD is consulted on these programmes.

Wording suggested by MD-SEDD in relation to water quality, fish populations and fisheries for incorporation into planning consents:

1. No development shall commence unless a Water Quality and Fish Monitoring Plan (WQFMP) has been submitted to and approved in writing by the Planning Authority in consultation with Marine Directorate – Science Evidence Data and Digital (MD-SEDD) and any such other advisors or organisations.

2. The WQFMP must take account of the Scottish Government's MD-SEDD guidelines and standing advice and shall include:

a) water quality sampling should be carried out at least 12 months prior to construction commencing, during construction and for at least 12 months after construction is complete. The water quality monitoring plan should include key hydrochemical parameters, turbidity, and flow data, the identification of sampling locations (including control sites), frequency of sampling, sampling methodology, data analysis and reporting etc.;

b) the fish monitoring plan should include fully quantitative electrofishing surveys at sites potentially impacted and at control sites for at least 12 months before construction commences, during construction and for at least 12 months after construction is completed to detect any changes in fish populations; and

c) appropriate site specific mitigation measures detailed in the Environmental Impact Assessment and in agreement with the Planning Authority and MD-SEDD

3. Thereafter, the WQFMP shall be implemented within the timescales set out to the satisfaction of the Planning Authority in consultation with MD-SEDD and the results of such monitoring shall be submitted to the Planning Authority on a 6 monthly basis or on request.

Reason: *To ensure no deterioration of water quality and to protect fish populations within and downstream of the development area.*

Sources of further information

NatureScot (previously “SNH”) guidance on wind farm developments - https://www.nature.scot/professional-advice/planning-and-development/advice-planners-and-developers/renewable-energy-development/onshore-wind-energy/advice-wind-farm

Scottish Environment Protection Agency (SEPA) guidance on wind farm developments – https://www.sepa.org.uk/environment/energy/renewable/#wind

A joint publication by Scottish Renewables, SNH, SEPA, Forestry Commission Scotland, Historic Environment Scotland, MD-SECC (previously Marine Scotland Science) and Association of Environmental and Ecological Clerks of Works (2019) Good Practice during Wind Farm Construction - https://www.nature.scot/guidance-good-practice-during-wind-farm- construction.

Annex 1 (revised June 2023)

MD-SEDD – EIA Checklist

The generic scoping guidelines should ensure that all matters relevant to freshwater and diadromous fish and fisheries have been addressed and presented in the appropriate chapters of the EIA report. Use of the checklist below should ensure that the EIA report contains the following information; the absence of such information ***may necessitate requesting additional information*** which could delay the process:

MD-SEDD Standard EIA Report Requirements	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or provided different to MD-SEDD advice, please set out reasons.
1. A map outlining the proposed development area and the proposed location of: ○ the towers/poles, ○ permanent and temporary access tracks, including watercourse crossings; ○ buildings including substations; ○ permanent and temporary construction compounds; ○ all watercourses; and contour lines;			
2. A description and results of the site characterisation surveys for fish (including fully quantitative electrofishing surveys) and water quality including the location of the electrofishing and fish habitat survey sites and water quality sampling sites on the map outlining the proposed turbines and associated infrastructure. **This should be carried out where a Special Area of Conservation (SAC) is present and where salmon are a qualifying feature, and in exceptional**			

MD-SEDD Standard EIA Report Requirements	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or provided different to MD-SEDD advice, please set out reasons.
cases when required in the scoping advice for other reasons. In other cases, developers can assume that fish populations are present;			
3. An outline of the potential impacts on fish populations and water quality within and downstream of the proposed development area;			
4. Any potential cumulative impacts on the water quality and fish populations associated with adjacent (operational and consented) developments including wind farms, hydro schemes, aquaculture and mining;			
5. Any proposed site specific mitigation measures as outlined in MD-SEDD generic scoping guidelines and the joint publication "Good Practice during Wind Farm Construction" (https://www.nature.scot/guidance-good-practice-during-wind-farm-construction);			
6. Full details of proposed monitoring programmes using guidelines issued by MD-SEDD and accompanied by a map outlining the proposed sampling and control sites in addition to the location of all turbines and associated infrastructure. **At least 12 months of baseline pre-construction data should be included. The monitoring programme can be secured using suitable wording in a condition.**			

MD-SEDD Standard EIA Report Requirements	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or provided different to MD-SECC advice, please set out reasons.
7. A decommissioning and restoration plan outlining proposed mitigation/monitoring for water quality and fish populations. **This can be secured using suitable wording in a condition.**			

Developers should specifically discuss and assess potential impacts and appropriate mitigation measures associated with the following:	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or provided different to MD-SEDD advice, please set out reasons.
1. Any designated area **(e.g. SAC),** for which fish is a qualifying feature, within and/or downstream of the proposed development area;			
2. The presence of a large density of watercourses;			
3. The presence of large areas of deep peat deposits;			
4. Known acidification problems and/or other existing pressures on fish populations in the area; and			
5. Proposed felling operations.			