Scottish & Southern Electricity Networks

Fanellan Hub 400 kV Substation and Converter Station Environmental Impact Assessment Report

Volume 4 | Technical Appendices

Appendix 6.4 – Scoping Opinion

February 2025

The Highland Council
Comhairle na Gàidhealtachd

SSEN Transmission
Per: [redacted]
10 Henderson Road
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IV1 1SN

Please ask for: [redacted]
Direct Dial: [redacted]
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Our Ref: 24/02655/SCOP
Date: 06/08/2024

By email to: [redacted]

Dear [redacted]

PLANNING REFERENCE: 24/02655/SCOP

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 207 - EIA SCOPING RESPONSE

DEVELOPMENT: FANELLEN SUBSTATION - PROPOSED NEW 400KV SUBSTATION AND HVDC CONVERTER STATION COMPRISING NEW BUILDINGS, PLATFORM, PLANT AND MACHINERY, ACCESS, LAYDOWN/WORK COMPOUND AREA(S), LANDSCAPING, SITE DRAINAGE, AND OTHER ANCILLARY WORKS (NATIONAL DEVELOPMENT)

LOCATION: LAND 300M NW OF FANELLEN FARMHOUSE

Thank you for requesting this Environmental Impact Assessment (EIA) Scoping response for the above project, which was received on 14 June 2024. Our view on the scope of the assessment may be subject to change if the scale of the development alters during the design process. This Scoping response should be read alongside the pre-application advice response provided under THC reference 23/04003/PREMAJ dated 14 November 2023, and the design workshop advice dated 13 March 2024.

Throughout the attached response we have sought to address the questions posed in the Scoping Report. We trust this response is helpful when formalising any forthcoming application.

Yours sincerely,

[redacted]

Strategic Projects Team Leader

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SCOPING RESPONSE

Applicant:	**SSEN TRANSMISSION**
Project:	**FANELLEN SUBSTATION - PROPOSED NEW 400KV SUBSTATION AND HVDC CONVERTER STATION COMPRISING NEW BUILDINGS, PLATFORM, PLANT AND MACHINERY, ACCESS, LAYDOWN/WORK COMPOUND AREA(S), LANDSCAPING, SITE DRAINAGE, AND OTHER ANCILLARY WORKS (NATIONAL DEVELOPMENT) LOCATION: LAND 300M NW OF FANELLEN FARMHOUSE, KILTARLITY**
Project Address:	**LAND 300M NW OF FANELLEN FARMHOUSE**
Our Reference:	**24/02655/SCOP**

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 and decision on any planning 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 an EIAR is often much more than would be set out in any planning application. An 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. 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 / flicker, heat, radiation, etc.) resulting from the operation of the development; and
- the estimated cumulative impact of the project with other consented or operation development.

1.2 The Scoping Report Para 1.3.1 indicates that 'other associated works' required to facilitate the proposed development, or would occur as a consequence of its construction and operation would not form part of the proposed development's description. Again, regardless of the consenting regime for these associated works, their proximity, timing and extent require to be factored into the EIA for this development. Each technical environmental chapter must consider the in-combination effects of all these elements taking place. For clarity, the Planning Authority expect that the development of a substation in any given location also considers its connecting lines, both under and above ground where the extent of these works would impact the same environmental receptor (river / community / landscape character area / section of the local road network).

1.3 In this regard, the scope of works required to upgrade / replace the Black Bridge crossing of the River Beauly must be included in the scope of this EIA. If the precise nature of work required is not clear, a worst case scenario should be included, with scope for this to be refined through the application determination process. This is irrespective of these bridge works, or any other individual development being screened out of requiring EIA on its own (based on solus impacts) or requiring separate permission under the TCPA or the Electricity Act. Should the proposed substation be reliant upon works to Black Bridge, the applicant's suggested approach to removing this from the scope of the EIA for the substation is **not agreed**.

2.0 Alternatives

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

- the design chapter should clearly set out the design evolution of the scheme including constraints to the delivery of that scheme;
- the range of technologies that may have been considered;

- locational criteria and economic parameters used in site selection;
- options and requirements for temporary and permanent access;
- design and locational options for all elements of the proposed development (including grid connections), with this required to consider sub-division of the totality of the project and if any elements could be accommodated in separate locations such as on brownfield land such as within a worked out quarry, or via extending existing substation sites; and
- the environmental effects of the different options examined.

The assessment should also highlight sustainable development attributes and project design constrains.

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.
- Inner Moray Firth Local Development Plan 2 (IMFLDP2) adopted June 2024.
- Associated Developer Contribution Supplementary Guidance.

EIA Scoping Report Paragraph 4.2.1 contain inaccuracies; local development plans are not used only to determine application ‘on a local scale’, rather they are relevant to the determination of all applications. A large number of policies will apply to this proposal from the above development plan documents. This response does not attempt to detail all which may be relevant, as such, it is recommended that the applicant reviews all these plans and documents prior to submission to establish the planning policy context for the EIA. The scope of the EIA should, however, address all the relevant issues covered within NPF4, HwLDP, IMFLDP2 and Highland Council Supplementary Guidance. The Council’s pre-application advice highlights the most salient parts the Development Plan to be addressed. IMFLDP2 has limited relevance to this proposal, as its focus is mainly on regional and settlement strategies as well as identifying specific site allocations. 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 EIA Scoping Report Paragraph 4.14 should also reference NPF4 Policy 18 Infrastructure First, and Policy 2 Nature Protection, Restoration and Enhancement, which are both relevant to all forms of development and require national developments to include appropriate measures to integrate nature-based solutions and enhance biodiversity. Although the 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.

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.

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

3.7 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 proposed substation must be designed in a way that is sympathetic to the local area and existing pattern of development. The Council also needs to fully understand the detailed design parameters of the facility 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.

3.8 The consequences of developing a substation in the proposed location should also be explained. For example, Battery Energy Storage Systems (BESS) are an emerging new aspect of renewable energy developments, with prospective developers of BESS now looking to collocate such facilities at source but also in close proximity to existing and

proposed substations. The EIA should therefore give consideration to likely further BESS development interest the new substation may attract, giving an indication of how much BESS development / generating capacity could theoretically be accommodated on this part of the network, and make clear if any such subsequent proposals are not an integral part of this project and could be accommodated elsewhere. Similarly, consideration should be given to any potential for the development to serve potential future major energy users (such as hydrogen production). It may be noted that the Council supports in broad principle the inclusion of energy storage in the right locations and that in respect of hydrogen the Council has (March 2021) agreed to prepare a Hydrogen Strategy for Highland.

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 In instances where the development is largely screened, for example by tree cover, monochrome photomontages of the same focal length shall be submitted showing site buildings and infrastructure in red (as per paragraph 4.1 of the above Guidance) to allow for a fuller analysis. Additionally, where landscaping and planting is proposed, you should include visualisations years 0, 5, and 10 from the completion of construction to show how the landscaping will embed the development into its receiving environment.

3.11 Assessments should cover impacts of all elements of the development, including the substation building, substation infrastructure, any likely new or re-located overhead line infrastructure, any security fencing, any tree felling, any lighting and any associated 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.

3.12 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 buildings, access roads, temporary compounds, laydown areas, soil and overturned stores, fencing etc. All elements of the proposal are to be rendered into photomontages.

3.13 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 It is noted that the recreational receptor of attendees at Belladrum Festival Grounds are proposed to be scoped out of assessment. Whilst attendees may only be present for a limited period of the year, the EIAR should still consider the festival to be a receptor which could be significant adversely impacted by the visual effect of this development. Owing to the number of visitors this attracts, and its associated benefit to the local economy, it would be reasonable include this within the scope of the LVIA with a representative viewpoint or series of wireframes across the grounds where people may well be taking in the festival's surrounding landscape. Similarly, it is expected that the routes to and from the festival are considered further within the EIA Transport Assessment, with scope for this to be considered further within the project's CTMP.

3.14 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.

3.15 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, take this into account.

3.16 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'.

3.17 Based on the information presented date, the proposed 5km Study Area may not be sufficient with their remaining potential for significant effects occurring beyond this distance. Given the elevated nature of the site, the scale of the proposed substation, and height of the HVDC converter station element, it is suggested that a study area of around 10km may be more appropriate to investigate further. Refinement of an enlarged study area can then take place. The current EIA Scoping Report Figure 1 – Premilitary ZTV covers a limited geographical extent, and a revised version is required across a wider area, particularly to cover Beauly its rising ground to the northeast, to cover the road network heading west towards the site from further east, with consideration given to other recreational routes and hill summits. A further ZTV detailing a potential 10km study area should be re-submitted for further consideration, together with the proposed connecting overhead line towers; upon receipt it may be possible to conclude that the proposed 5km study area remains appropriate, however without going through this process this is difficult to establish.

3.18 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.

3.19 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.

3.20 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.

Cultural Heritage

3.21 Historic Environment Scotland (HES) commented on the scoping of the cultural heritage (para.7.6) and advised to scope out direct impacts on Inventory Battlefields, World Heritage Sites and Conservation Areas, Temporary Setting Impacts from the construction, and indirect impacts. However, it will nevertheless be important to fully assess the impacts of the proposed development on the historic environment, including cumulative impacts taking account of associated infrastructure including OHL routes and other proposed substations.

3.22 HES also noted that the applicants have set a study area of 1km around the development but will consider assets out with that boundary that fall within the ZTV or where cumulative impacts may occur (para. 7.5.3). It will also be necessary to consider assets that do not fall within the ZTV, but where the development may be present in views towards them. Where assessment of an asset's setting indicates that there could be significant impacts from the proposed development, wireframes should be produced to help assess those impacts. Where the impacts are identified as significant, photomontages should be produced to illustrate the impacts.

3.23 The proposed development has the potential to have a significant effect on following assets and their settings. They should be scoped into the assessment:

- SM5570 Kiltarlity Old Parish Church
- SM2425 Culburnie Ring Cairn and Stone Circle
- SM2435 Belladrum, chambered cairns
- SM4979 Dun Mor, fort
- SM4729 Phoineas Hill, enclosure
- SM2423 Dun Mor, fort, Ballindoun

This list is not exhaustive, and in the first instance, a ZTV should be used to identify historic environment assets that may be affected. Where an asset is scoped out of further assessment, written justification should be provided for this. The assessments should be supported by appropriate visualisations. The HES will provide initial comments on draft visualisations or proposed locations for visualisations in advance of any EIAR stage assessment.

3.24 The HES previously gave pre-application advice on a potential substation site west of **Beaufort Castle (LB8068)** and the **Beaufort Castle Inventory Garden and Designed Landscape (GDL00052)**. It was expected that potential impacts were unlikely to raise issues of national interest (based on the information provided). This current application is for a substation complex up to 29m in height in the same location. According to the Scoping Report, there is potential that the proposed development would be visible from Beaufort Castle and open areas within the designed landscape. The report considers it unlikely there would be a significant change to the settings of these heritage assets due to the distance and intervening vegetation. The HES agreed with the report's conclusion to scope these assets into further detailed assessment.

3.25 HES also advised that the assessment should consider potential impacts on important views from the castle, particularly from the principal rooms. It is also suggested to consider impacts on views from and within the parklands that form the core of the designed landscape around the castle. Assessment may require visualisations such as wireframes or photomontages, depending on the degree of likely impacts identified. HES do not have any specific visualisations to suggest from the proposed Belladrum Inventory Garden and Designed Landscape due to its distance and the lack of designed views in the direction of the proposed development. It is possible to accommodate the proposed development without raising issues of national interest for Listed Buildings, and Inventory Gardens and Designed Landscapes. If visualisations show the proposed development may have an adverse visual impact, it should be possible to mitigate this.

3.26 The Highland Council Archaeology officer is satisfied with the information presented in the scoping report adequately addressing an impact assessment for this proposal. The methodology as set out in the Scoping Report Section 7 is acceptable and will allow an assessment of the predicted impacts to be made. The scoped-out effects presented in 7.6 are reasonable. The potential for buried features or deposits to be present should be stated in the report. Where impacts are unavoidable, Historic Environment Team expect methods to mitigate this impact to be discussed in detail.

Geology, Hydrology and Hydrogeology, Soils and Contaminated Land

3.27 The EIAR should fully describe the likely significant effects of the development on the local geology including aspects such as 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. The soils and overburden balance calculation should demonstrate whether additional material will be required or will be generated, and where it is proposed to be temporarily or permanently stored. The applicant is encouraged to achieve a cut and fill balance on or in the immediate vicinity of the development footprint to avoid haulage via the local road network.

3.28 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, water quality, water quantity and on aquatic flora and fauna. Impacts on watercourses, lochs, 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), however it is likely that a map and assessment of all engineering activities in or impacting on the water environmental including proposed buffers, details of any flood risk assessment, and details of any related CAR applications will be required to be included with the EIAR-SEPA to identify if a CAR license is necessary and the extent of the information required by SEPA to assess any license application.

3.29 If culverting should be proposed, either in relation to new or upgraded accesses, 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, taking into account 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.

3.30 SEPA's consultation response noted in relation to section 9 of the scoping report and section 4 of the attached appendix that peaty soils are present in some areas of the site. If disturbance of the areas where carbon rich soils are present is avoided, SEPA are content with the approach of scoping out peat. However, if this is not the case a proportionate Peat Management Plan should be included in the submission, and it should be demonstrated how impacts have been minimised with a detailed map of where the areas of peat with peat depths are located.

3.31 In relation to section 9 of the scoping report and section 2 of the attached appendix and early pre-application advice of SEPA, the current proposed layout will impact on a natural watercourse which runs south-west to north-east before, what appears to artificially redirected south-eastwards to join another tributary to the River Beauly. SEPA have received further information regarding to the proposed drainage and detailed plans that appear to directly impact this watercourse by email dated 09 July 2024. They will provide further detailed comment on that aspect of the proposal and EIA within the next 4 weeks.

3.32 SEPA has no record of private water supplies within the site, and they have also noted the presence of a well to the northwest of Upper Fanellen Cottages. The status of this should be confirmed in the final submission. In relation to engineering works in the water environment and waste management, guidance can be found on the regulation section of SEPA website.

3.33 The Council's Flood Risk Management Team had no substantive site specific comments to make at this stage. However, there are a number of watercourses and waterbodies on the site therefore the following generic advice applies:

- All tracks should be kept a minimum 10m away from any waterbody except water crossings;
- Access tracks not acting as preferential pathways for runoff and efforts being made to retain existing natural drainage wherever possible;
- Natural flood management techniques should be applied to reduce the rate of runoff where possible; use of Suds to achieve pre-development runoff rates and to minimise erosion on existing watercourses;
- Water crossings in the form of culverts or bridges, or upgrades to existing crossings must be designed to accommodate to 1 in 200-year flood event, plus climate change;
- Land rising within any floodplain to be avoided; if ultimately required, compensatory storage must be provided; and,

The EIAR should be informed by the Council's Flood Risk and Drainage Impact Assessment SG.

3.34 The need for, and information on, abstractions of water supplies for concrete works or other operations should also be identified. The Environmental Health officer advised

that 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. A report which includes details of the measures proposed to prevent contamination or physical disruption shall be submitted for the written approval of the Planning Authority. The report should include details of any monitoring prior to, during and following construction. If appropriate, it should also include proposals for contingency measures in the event of an incident. Highland Council has some information on known supplies which can be provided on request however, it is not definitive. An on-site survey will be required.

3.35 Scottish water has no objection to this Scoping; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Scottish water noted that there is live infrastructure in the proximity of the development area that may impact on the existing Scottish Water assets. The applicant must identify any potential conflicts with Scottish Water assets and contact their Asset Impact Team via Scottish Water Customer Portal for an appraisal of the proposals. For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system. There may be limited exceptional circumstances where they would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges. In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide decision that reflects the best option from environmental and customer perspectives.

3.36 The Highland Council's contaminated land officer is satisfied with scoping response that there are no significant concerns in terms of known potential contaminated land issues within the red line site boundary presented.

Ecology, Habitats and Ornithology

3.37 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.

3.38 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.

3.39 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. NatureScot has provided specific advice in respect of the designated site boundaries for SPAs on protected species and habitats within those sites.

3.40 As the EIA Scoping Report highlights, that there are no designated sites for nature conservation lie within close proximity to the proposal site. However, we agree that the breeding osprey and greylag goose features of the Inner Moray Firth Special Protection Area (SPA) should be scoped in due to the fact that osprey associated with this European site are known to breed within close proximity to the proposal site and greylag geese may utilise the area for feeding. NatureScot agreed with the proposed scope of surveys and assessments to be included in the EIAR.

3.41 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.

3.42 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.

3.43 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.

3.44 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. The HMP should include a comprehensive monitoring programme for all habitat improvements, and breeding birds on the site.

3.45 The presence of Schedule 1 raptors and qualifying interests of Special Protected Areas and other areas designated for aviary interests must be included and considered as part of the planning application process; not as an issue that can be considered at a later stage. Any consent given without due consideration to these species may breach European Directives with the possibility of consequential delays or the project being halted by the EC.

3.46 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

Noise

Construction Noise

3.47 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 over several years and will be undertaken in close proximity to noise sensitive properties, there is potential for significant disturbance from construction noise.

3.48 The applicant will need to submit 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 – Part 1: Noise". It should include:

- A description of construction activities with reference to noise/vibration generating activities, plant and equipment.
- A detailed plan showing the location of noise/vibration sources, noise sensitive.

  premises and any survey measurement locations.
- A description of any mitigation methods that will be employed and the predicted.

  effect of said methods on noise/vibration levels. Mitigation measures must include details 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. It is expected local residents should have guaranteed period of quiet and respite from construction noise.
- A prediction of noise levels resultant at the curtilage of noise sensitive receptors.
- An assessment of the predicted noise/vibration levels in comparison with relevant standards.

3.49 It is also expected that the developer/contractor will employ the best practicable means to reduce the impact of noise from construction activities. The size and scale of the construction works needs to be taken into account, particularly when considering what constitutes the best practicable means for noise and vibration mitigation. Attention should be given to the use of tonal reversing alarms, ground compaction plant and rocking blasting/crushing which are often the most intrusive elements of a large construction project.

3.50 Given the size and duration of the construction of this project, that applicant should establish a Community Liaison Group (CLG) for this project. The community liaison group should keep residents informed of the progress of the project, not only discuss issues such as noise but also any concerns regarding vehicle access and deliveries etc. and allow for complaints to be addressed fairly and expeditiously.

3.51 The applicant will also be required to submit a construction noise assessment in respect of the impact from construction traffic.

Operational Noise

3.52 The site is less than 200 metres away from residential properties. The site is in rural area, and it has a low existing ambient noise level. The noise emissions from substations are known to be tonal and would be contrast with the natural ambient sounds which would normally occur in this location. The applicant will be required to submit a detailed noise assessment undertaken by a competent person, which should include, but is not limited, to the following: -

- A description of the proposed development in terms of new noise sources
- A plan showing the location of new and existing noise sources, noise sensitive premises and any survey measurement locations.
- A survey of the background (LA90, T) ambient noise (LAeq,T), and 1/third octave band spectrum levels to determine the existing noise level in the area and at any nearby properties likely to be affected by the noise. It is expected that the monitoring will be conducted over at least a 7-day period.
- A prediction of noise levels arising from the proposed development at noise sensitive properties. It is expected that all predictions will be based on a worst-case scenario.
- A comparison of the predicted Rating level for noise arising from the development with the background level in accordance with BS4142:2014+A1:2019: Methods for rating and assessing industrial and commercial sound.
- 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. Details of the mitigation measure should also the detailed specifications of any barriers, enclosures etc.

The outcome of the noise assessment must clearly demonstrate noise arising from proposed development will not have any adverse impact on existing noise sensitive properties and will meet the following criteria: The assessment should be able to demonstrate compliance with the following criteria: -

1. Noise arising from within the operational land of the sub-station, when measured and /or calculated as an **Lzeq, 5min, in the 100Hz one third octave frequency band must not exceed 30dB,** at noise sensitive premises; and
2. The Rating Level of noise arising from the use of plant, machinery or equipment installed or operated within operational land of the sub-station, **must not exceed the current background noise levels** at noise sensitive premises.

In determining suitable mitigation measures and the design of the proposed new sub-station and HDVC convertor station, consideration should be given to the likelihood of future development at the site. It would be important that any future expansion of the site, irrespective of permitted development rights, does not result in increased noise levels.

Dust

3.53 Given the proximity of the working area to houses etc. the applicant may require submitting a scheme for the suppression of dust during construction. Particular attention should be paid to construction traffic movements.

Traffic and Transport

3.54 A Transport Assessment (TA), Construction Traffic Management Plan (CTMP) and an Abnormal Load Assessment will be required within the EIAR. The Transport Assessment Methodology below sets out what the Council requires, and further information is provided in our published Roads and Transport Guidelines for New Developments. When establishing a scope for the assessment consideration should be given to the use of the public roads in this area can be influenced significantly by tourist traffic.

Transport Assessment

3.55 The Highland Transport Planning Officer noted the intention to scope out the improvements required to the Black Bridge crossing of the River Beauly from the proposed assessment. Given that this is the only viable means of accessing this development for the development's construction and ongoing operation (see comments below), it should be noted that, if the subsequent permissions required for changes to Black Bridge are not accepted and delivered, prior to any approval being sought for the new substation and converter station, the Council would need to seek a suitably worded planning condition requiring the Black Bridge changes needing to be agreed, permitted and implemented prior to the main works commencing to construct the new substation and converter station facility. Owing to the potentially critical nature of this infrastructure the Planning Authority have requested the scope of this proposal to be assessed within the forthcoming EIAR.

3.56 The Transport Planning Officer also noted comments in Chapter 8 of the submitted scoping document suggesting that, due to the existing issues with the Black Bridge, it may be necessary for HGV's accessing this development to route from the A833 through Kiltarlity. The local public roads through Kiltarlity between the A833 and the development site are not suitable for such construction traffic, and as such, the Council will oppose any intention to make use of such routing for this development. The Council would also challenge the appropriateness of routing through the existing community at Kiltarlity when there is a more appropriate route from the A831 via the C1106. You are advised to focus on establishing appropriate improvements to the Black Bridge that will support their construction and ongoing operational access requirements.

3.57 As stated in our pre-application feedback, no abnormal load movements will be accepted across the Lovat Bridge carrying the A862 over the River Beauly without detailed inspections and assessments being undertaken and the findings accepted by our Structures Team. It is our understanding that such inspections will need to include diving surveys of the existing bridge piers and foundations within the river.

3.58 The Council Transport Planning Officer noted that the assessment of environmental impacts from the predicted traffic will follow the principles set out in the Institute of Environmental Management and Assessment (IEMA) Guidelines for the Environmental Assessment of Traffic and Movement. However, this approach does not include any

requirement to assess the existing local public road networks condition and capability to accommodate the predicted traffic impacts physically and safely, whilst remaining safe for other road users. This will be for all construction and operational traffic, not just abnormal loads (AILs). This reinforces our pre-application feedback highlighting that an additional Transport Assessment (TA) will be required to do that assessment and clarify what physical road improvements and traffic management measures will be required.

3.59 The THC Transport Planning Officer specifically mention both physical changes to the road network and traffic management measures, as the submitted scoping report only makes reference to traffic management measures. The likely scale of impacts and the nature of local public roads in that area will require physical road improvements alongside traffic management measures. The scale and nature of such improvements will need to be determined when the proposed means of access and predicted impacts from the proposed development have been established. To be clear, The Council will not support any construction or ongoing operational access along the single-track section of the C1106 Fanellen Road without appropriate physical improvements to it.

3.60 Regarding quantifying the scale of traffic impacts and the intention in the EIA to use Rule 1 (30% increase in all and HGV traffic) and Rule 2 (10% increase in all and HGV traffic at high sensitivity locations) from the IEMA Guidelines, the Council will require any single-track roads with passing places to be identified as high sensitivity as defined by Rule 2. This reflects the sensitivity of such routes to changes in the quantum and nature of traffic flows along them.

3.61 Transport Planning note the intention to gather Annual Average Daily Flows (AADF) for existing routes and use that in the environmental assessment to compare changes as a result of the proposed development. Given that the proposed construction working hours for this development will, in most parts, be between 07:00 and 19:00, AADF information should not be used, and 12-hour average flows utilised for the period 07:00 – 19:00. Using AADF will simply lessen the scale of change that the development will be generating during the working day.

3.62 When calculating the predicted quantum and profile of construction traffic likely to be generated by the proposed development, this should also include the likely traffic generated by the felling and removal of trees referenced in the Scoping Report, as well as trips associated with other related development associate with the proposed substation, its connections and other proposed and consented major development projects affecting the road network.

3.63 Post construction, Transport Planning note the comments that operational traffic levels are predicted to be low and as such, no assessment of those likely impacts is deemed necessary. The Council will expect any submission to clarify the likely quantum and profile of operational traffic levels due to be generated by the finished development. That should include likely demands from the proposed offices and training facilities (see comments below). This information, along with the proposed lasting operational

capability of the local public road network, after being improved by this development, should be used to determine if the TA will need to include a formal assessment of the road networks capability to accommodate such operational traffic levels physically and safely.

3.64 Transport Planning note the intention for this new development to include new offices and training facilities. The required TA will need to set out the likely travel and parking demands of such facilities and justify the adequacy of the developments ability to accommodate such demands. Also, current national policy looks for such facilities to be accessible by all and by sustainable means of travel. The TA will need to have assessed the accessibility of such facilities by non-car modes, including justifying the adequacy of any improvements deemed necessary. It will also need to ensure sufficient provision is made within the development site for cycle and disabled car parking facilities. The following is our generic template for the Transport Assessment Methodology, Abnormal Load Assessment, Construction Traffic Management Plan.

3.65 Transport Assessment Methodology

1. Identify all public roads affected by the development. In addition to transportation of all abnormal loads & vehicles (delivery of components) this should also include routes to be used by local suppliers and staff. It is expected that the developer submits a preferred access route for the development. All other access route options should be provided, having been investigated in order to establish their feasibility. This should clearly identify the pros and cons of all the route options and therefore provide a logical selection process to arrive at a preferred route.

2. Establish current condition of the roads. This work which should be undertaken by a consulting engineer acceptable to the Council and will involve an engineering appraisal of the routes including the following:

- assessment of structural strength of carriageway including construction depths and road formation where this is likely to be significant in respect of proposed impacts, including non-destructive testing and sampling as required;
- road surface condition and profile;
- assessment of structures and any weight restrictions;
- road widths, vertical and horizontal alignment, and provision of passing places; and
- details of adjacent communities.

3. Determine the traffic generation and distribution of the proposals throughout the construction and operation periods to provide accurate data resulting from the proposed development including:

- nos. of light and heavy vehicles including staff travel;

- abnormal loads; and
- duration of works.

4. Current traffic flows including use by public transport services, school buses, refuse vehicles, commercial users, pedestrians, cyclists, and equestrians.

5. Impacts of proposed traffic including:

- impacts on carriageway, structures, verges etc.;
- impacts on other road users;
- impacts on adjacent communities;
- swept path and gradient analysis where it is envisaged that transportation of traffic could be problematic; and
- provision of Trial Runs to be carried out in order to prove the route is achievable and/or to establish the extent of works required to facilitate transportation.

6. Proposed mitigation measures to address impacts identified in five above, including:

- carriageway strengthening;
- strengthening of bridges and culverts;
- carriageway widening and/or edge strengthening;
- provision of passing places;
- road safety measures; and
- traffic management including measures to be taken to ensure that development traffic does not use routes other than the approved routes.

7. Details of residual effects.

Abnormal Load Assessment

3.66 The TA should include an Abnormal Load Assessment of the roads utilised to convent abnormal loads to the site. The assessment will need to confirm the proposed port of entry for AIL components and justify the adequacy of the route for transporting them to the site. Early discussion with the Council's abnormal loads team (the contact is Greg Otreba Grzegorz.Otreba@Highland.gov.uk) and the Council's structures team (the contact is Norman Smart Norman.Smart@Highland.gov.uk) is recommended.

Construction Traffic Management Plan

3.67 Owing to the likely scale of impacts and the nature of local public roads in the area, a combination of physical road improvements alongside traffic management measures will be required. The scale and nature of such improvements will need to be determined when the proposed means of access and predicted impacts from the proposed

development have been established. To be clear, the Council will not support any construction or ongoing operational access along the single-track section of the C1106 Fanellen Road without appropriate physical improvements to it.

3.68 Transport Planning require any application for planning permission associated with this proposal to submit a CTMP for the approval of the Planning Authority. A CTMP will normally detail the following issues, however this is not an exhaustive list and the CTMP should be tailored to reflect the issues pertinent to this development:

- Identification of all Council maintained roads likely to be affected by the various stages of the development,
- Predicted volume, type, and duration of construction traffic.
- Location of site compound, staff parking and visitor parking.
- Proposed measures to mitigate the impact of general construction traffic and abnormal loads on the local road network following detailed assessment of relevant roads.
- Details of any traffic management signage required for the duration of the construction period.
- Measures to ensure that all affected public roads are kept free of mud and debris arising from the development.
- The developer may also be requested to enter into a Section 96 agreement with the Highland Council to cover any abnormal wear and tear to the Council roads. This will include a requirement for pre and post construction surveys to be undertaken and agreed with the Council and for the provision of a suitable bond.

If the development involves any abnormal loads a detailed protocol, route and delivery programme will be required and agreed with any interested parties such as Highland Council, the Police, Transport Scotland, and community representatives. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of abnormal load movements in the local media.

Socio-Economic, Tourism and Recreation,

3.69 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. 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, such as Belladrum - Tartan Heart Festival and any other

local sporting interests or 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

3.70 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. Guidance on assessing that impact as part of an EIA in Appendix 6 of this document:

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

Effects on Existing Access Routes

3.71 Highland Council's Outdoor Access Officer notes that outdoor access considerations should be scoped into the EIA. Scoping out access and recreation was a mistake. The proposed site obstructs a significant access point to the path network in Ruttle Wood while the Red Line Boundary incorporates other parts of the wider path network. Patterns of these recreational use of the routes can be assessed by referring to Strava's Global Heatmap and Ramblers Scotland's Scottish Paths Map.

3.72 In scoping out these features the report fails to acknowledge the public access baseline activity or adequately address the proposal's potential impact on that activity during the construction and operation of the proposal. In failing to acknowledge existing public access across the site it fails to identify measures to mitigate that impact too. That combination suggests that the proposal's potential impact on public access could be significantly negative.

3.73 Subsequent assessments should address the proposal's impact on public access across the site using more accurate and up-to-date information and according to the guidelines in NatureScot's handbook on the subject.

3.74 In turn it should identify ways to mitigate the impact of the development during both construction and operational phases as well as ways to benefit public access to and around the area on completion. That assessment should inform the basis of an access

management plan that is required of a development this size in Policy 77 of the Highland wide Local Development Plan.

Forestry

3.75 The Council's Forestry Officer has been consulted and intends to provide a stand alone supplementary response to confirm the scope of the EOIA in relation to forestry / woodland matters. This is anticipated to be provided w/c 12 August 2024.

Aviation and Defence Interests

3.76 The proposed development has also been examined from technical safeguarding and does no conflict with the safeguarding criteria of NATS. Accordingly, NATS (En Route) Public Limited Company (NERL) has no safeguarding object to the proposal based on the information supplied at the time of this application. 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 required that it be further consulted on, any such changes prior to any planning permission or any consent being granted.

3.77 The Defence Infrastructure Organization (DOI) Safeguarding Team confirmed following review of the application documents, that the development falls outside of MOD safeguarded areas and does not affect other defence interests. The MOD, therefore, has no objection to the development proposed based on the information provided.

3.78 Highlands and Island Airports Limited confirmed that the proposed development does not impact the Safeguarding criteria and operation of Inverness Airport. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) then as a statutory consultee HIAL requires that it be further consulted on any such changes prior to any planning permission, or any consent being granted.

Miscellaneous

3.79 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.

[redacted]

Strategic Projects Team Leader