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Our Ref: 23/05829/SCOP
Your Ref:
Date: 06/02/2024

By email to: Charlene.Baker@sse.com

Dear Charlene,

PLANNING REFERENCE: 23/05829/SCOP

DEVELOPMENT: SPITTAL SUBSTATION AND HVDC CONVERTER STATION - NEW 400KV SUBSTATION & HVDC CONVERTER STATION TO CONNECT TO THE PROPOSED NEW 400KV OVERHEAD LINE BETWEEN SPITTAL & BEAULY, THE NEW SPITTAL TO PETERHEAD HVDC LINK, AND THE EXISTING SPITTAL 275/132KV SUBSTATION

LOCATION: LAND 360M NE OF ACHALONE COTTAGE, ACHALONE, HALKIRK

Thank you for requesting this Environmental Impact Assessment (EIA) Scoping Request for the above project. We received the consultation on 1 December 2023 by email.

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, changes.

The remainder of this letter constitutes THC's Scoping Response. Throughout the response we have sought to address the questions posed in the Scoping Report. We trust this response is helpful when formalising any forthcoming application.

SCOPING RESPONSE

Applicant: SSEN Transmission

Project: New Spittal Substation: EIA Scoping request for the erection and operation of a 400kv substation & HVDC converter station to connect to the proposed new 400kv overhead line between Spittal & Beauly, the new Spittal to Peterhead HVDC link, and the existing Spittal 275/132kv substation

Project Address: Land 360M NE Of Achalone Cottage, Achalone, Halkirk

Our Reference: 23/05829/SCOP

This response is given without prejudice to the Planning Authority's right to request 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 Supporting Information. In particular, the elements of this report as highlighted in parts 3, 4 and 5 should be presented as three distinct elements.

Where responses have been received by internal consultees these are available to view online and should be taken as forming part of the scoping response from THC. If any further responses are received 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. These might include requirements for borrow pits, local road improvements, infrastructural connections (i.e., connections to the grid), off site conservation measures, 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 operational developments.

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 final project 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 – we note that the ‘Project Background’ statement within the Scoping Report advises that one turbine company has discontinued turbine models as justification for new applications however does not appear to advise that the applicant has attempted to source turbines of approved dimensions from any other source.
- locational criteria and economic parameters used in the initial site selection;
- options for access;
- design and locational options for all elements of the proposed development (including grid connection); and,
- the environmental effects of the different options examined.

The assessment should also highlight sustainable development attributes including, for example, an assessment of carbon emissions / carbon savings.

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 paragraphs highlight some principal considerations. There are a number of wind energy developments in the area, and you are encouraged to use your understanding of these in assessing 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. It will be most important in this case, to consider the potential cumulative impacts of the proposals, in combination with the proposed new substations and infrastructure for the West of Orkney and Ayre Windfarm grid connections, which will also be in the general area of Spittal, for all chapters in the EIAR.

Land Use and Policy

3.2 The current Development Plan comprises the:

- Fourth National Planning Framework (NPF4) adopted in 2023
- Highland-wide Local Development Plan (HwLDP) adopted 2012
- Caithness and Sutherland Local Development Plan (CaSPlan) adopted 2018
- Associated Supplementary Guidance (SG), with particular regard to the Onshore Wind Energy Supplementary Guidance (OWESG) (2016) and Part 2b (2017)

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/agent 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, CaSPlan and the Council Supplementary Guidance. Of particular relevance will be NPF4 & HwLDP and the associated SG documents. CaSPlan will have limited relevance to this proposal, as its focus is mainly on regional and settlement strategies and identifying specific site allocations. However, certain aspects of the strategies for the local area and settlements may help to inform plans for community engagement and/or community benefit. CaSPlan does however establish 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 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 new 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.

- 3.4 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. A report to the meeting of The Highland Council on 29 June 2023 provided an introduction to: the background and principles of Community Wealth Building; the work already being undertaken which contributes towards community wealth building; and an update on the proposed approach being taken to develop a Community Wealth Building Strategy for Highland Council.

https://www.highland.gov.uk/download/meetings/id/81834/item_11_developing_a_community_wealth_building_strategy

Sustainability

- 3.5 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 application should include a statement on how the development is likely to contribute to the Scottish Government Energy Efficient Scotland roadmap and provide the Highlands with secure and clean electricity supplies.

Landscape and Visual

- 3.6 The Council expects the EIAR to consider the landscape and visual context of the development and a full Landscape and Visual Impact Assessment (LVIA) forming part of the EIAR is required. This must consider the mitigation inherent in the original substation's design and consider the long term masterplanning of the substation, including scope for further expansion and what form this may take. The designers should investigate where roadside planting and other measures may be included within the proposals or indeed, if advanced planting could take place ahead of determination of the application.
- 3.7 The LVIA should provide Zone of Theoretical Visibility analysis and identify key viewpoints to represent the most sensitive surrounding visual receptors with a series of single frame images with different focal lengths taken with a 35mm format full frame sensor camera – not an 'equivalent.' The focal lengths should be 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. This imagery should be used to provide existing and proposed photomontages to assist with the assessment and determination of the application. The timing of the visualisation photography should reflect the worst case scenario when existing deciduous trees and vegetation is not in full leaf. Similarly, should any additional planting be proposed, visualisations should represent the development at the point of completion, and with 10 years of landscape planting growth. Whilst this proposal is not for a wind farm, the photomontages should follow the Council's Visualisation Standards:

[https://www.highland.gov.uk/downloads/file/12880/visualisation standards for wind energy developments](https://www.highland.gov.uk/downloads/file/12880/visualisation_standards_for_wind_ener gy_developments)

- 3.8 Assessments should cover impacts of all elements of the development, including the substation building, replacement substation infrastructure, any likely new or re-located overhead line infrastructure, any security fencing, any tree felling and any lighting. Visualisations should be prepared to Highland Council Standards. These should be provided in hard copy in a A3 lever arch ring bound folder for ease of use. The finalised list of viewpoints for the assessment should be agreed in advance of preparation with input from the Council's Landscape Officer (Anne Cowling), who is yet to respond to this scoping consultation.
- 3.9 We acknowledge that there will be some micro-siting of the viewpoints to avoid intervening screening of vegetation boundary treatments etc. We would recommend that the photographer has in their mind whether the viewpoint 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.
- 3.10 The purpose of the selected and agreed viewpoints should be clearly identified and stated in the supporting information. For example, it should be clear that the viewpoint 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.
- 3.11 When considering the impact on recreational routes please ensure that all core paths, the national cycle network, long distance trails are assessed. It should be noted that these routes are used by a range of receptors.
- 3.12 A landscaping, management and maintenance scheme for the site is required and as this will have wider habitat and biodiversity interest, this must form part of the EIAR.

Ecology, Habitats and Ornithology

- 3.13 An EIAR chapter covering ecology, habitats and ornithology will be required. This must provide a baseline survey of the bird and animals (mammals, reptiles, amphibians, etc) interest on site. It needs to be categorically established which 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, in the contexts of both biodiversity and conservation. Details of any habitat enhancement programme (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.

- 3.14 An Ecological Impact Assessment for the site and should be considered alongside the development of the 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 and species within the Highland Nature Biodiversity Action plan. It is expected that the proposals 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.
- 3.15 The presence of protected species such as Schedule 1 Birds or European Protected Species must be included and considered as part of the application process, not as an issue which 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.
- 3.16 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 can also provide specific advice in respect of the designated site boundaries for SACs and SPAs and on protected species and habitats within those sites. The potential impact of the development proposals on other designated areas such as SSSI's should be carefully and thoroughly considered and, where possible, appropriate mitigation measures outlined in the EIAR.
- 3.17 The EIAR needs to address the aquatic interests within local watercourses, including down stream 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.
- 3.18 NatureScot note that the development site has been identified as having potential ornithological connectivity, hydrological connectivity, and proximity to the following protected areas. NatureScot agree with SSE in regard to the matters they have proposed to scope out of the EIA.
- Caithness Lochs Special Protection Area (SPA) and Ramsar site, including Loch Calder, Loch Scarmclate and Loch Watten Sites of Special Scientific Interest (SSSIs)
 - Caithness and Sutherland Peatlands SPA and Ramsar site (including relevant component SSSIs)
 - River Thurso Special Area of Conservation (SAC)
 - Banniskirk Quarry SSSI
 - Achanarras Quarry SSSI

- 3.19 SSE has a target for all projects gaining consent to achieve a 10 % net gain for biodiversity. NatureScot's Developing with Nature guidance has been prepared, in discussion with Scottish Government, to support local 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.

Hydrology, Hydrogeology Geology, Soils and Contaminated Land

- 3.20 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. EIAR should include a table detailing the volumes of soil and sand being excavated and where and how this will be reused within the site. The soils balance calculation should demonstrate whether additional material will be required or will be generated.
- 3.21 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, 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. In this respect, you are directed to SEPA's consultation response on the Scoping Report.
- 3.22 SEPA highlights that the proposal site has a myriad of small watercourses draining it. SEPA are likely to object to any culverting for land gain of a natural watercourse. Whilst it is accepted that some of the watercourses maybe historic agricultural drainage ditches, several appear to be modified natural watercourses which would require appropriate buffers and possible realignment. The surface water flooding impacts of these measures if undertaken would need to be very carefully considered. SEPA also highlights that no temporary or permanent SUDS proposals should be placed online with the two natural watercourses identified in their consultation response.
- 3.23 The Burn of Halkirk (the watercourse on the northeast boundary of the site) and its straightened tributaries (some within the site) will require appropriate buffers – SEPA would request a 50m buffer where possible. The Burn and tributaries appear to have been historically straightened so we highlight there is potential scope for significant improvement of these and SEPA would welcome consideration of this as part of the Biodiversity Net Gain (BNG) assessment even though the Burn itself may not be within the site boundary.

- 3.24 SEPA's database indicates the site comprises Wet Heather Moorland which is likely to include GWDTE. What the impacts on these will need to be carefully considered in any future detailed planning of this site.
- 3.25 OS maps indicate the presence of wells to the north and west of the site. SEPA will require confirmation of the existing status of these and the nature of the water supplies to neighbouring properties, particularly properties around North Achalone, Achalone and Banniskirk House, in any final submission.
- 3.26 Preliminary ground investigations indicate peat is present on the proposed development site, backed by NatureScot's Carbon and Peatland Map 2016 indicating that most of the site is underlain by mineral soils, with substantial areas of Class 3 peat also present as well as two small areas of Class 4 peat. NatureScot do not consider these as high priority peatland habitats; however, they do recommend that their guidance is used by the applicant to determine whether the proposed level of assessment will be adequate to inform decision making.
- 3.27 There are no significant concerns in terms of known potential contaminated land issues within the red line site boundary presented. A small former quarry is present at NGR: 315549 956835 which may have been infilled with degradable materials, and workers should be informed of potential Health and Safety issues if groundworks are carried out in this area. However, if no enclosed structures are proposed in this area of the site, then there are unlikely to be any significant issues in terms of potential ground gas generation or risk to workers from contaminated soils.

Noise

Construction Noise

- 3.28 Further to the scoping report, Environmental Health have no comments to make regarding noise/dust emissions and mitigations during the construction phase. It may be necessary to impose time restricted conditions (construction time shall be restricted to 0800 hours and 1900 hours Monday to Friday; and 0800 hours and 1300 hours on Saturdays with no audible work on Sundays or Public Holidays), with a caveat that works outside these hours is programmed and approved prior to being undertaken.

Operational Noise

- 3.29 The baseline noise survey states (para 9.2) that noise sensitive properties have a noise environment between 19 and 32dB LA90 – though table 9.2 states 17 – 32 dB LA90. Environmental Health request that this is confirmed for any further submission. As stated in the Scoping Report, further discussion will take place once the assessment of operational noise has been carried out. The proposed methodology is satisfactory to Environmental Health but the mitigations implemented will need to consider the affect of potential creeping back ground when designed based on the predicted sound level at each noise sensitive property. It is likely that Highland Council will require that sound levels experienced do not exceed background, but this can be discussed further at a future date once all the data has been produced/calculated.

Traffic and Transport

- 3.30 Highland Council's Transport Planning Teams interests will relate largely to the impact of development traffic on the Council maintained road network and its users during the construction phase of the project. Transport Scotland's interest will relate to the impact of development on the trunk road network.
- 3.31 In addition to the Policy, Guidance and Legislation documents listed, we recommend that reference is made to the following documents:
- Roads and Transport Guidelines for New Developments
 - Guidance on the Preparation of Transport Assessments
- 3.32 The Transport Planning Team notes the content of the EIA Scoping Report and has no objection to the issues to be scoped out of future Environmental Impact Assessment (EIA) as detailed in Chapter 7 - 7.4. The precise details of the construction programme are unknown at this stage; however, the Transport Planning Team notes that the environmental impacts of construction traffic will be assessed as part of the EIA in accordance with Chapter 7 – 7.5 & 7.6. The Transport Planning Team has no objection to the assessment methodology proposed but confirm that the direct impact of construction traffic on local roads infrastructure should also be assessed and mitigation measures proposed, as required, as set out in the preapplication advice, ref. 23/04004/PREMAJ.

Useful contacts:

Structures - Simon Farrow, Principal Engineer

Simon.farrow@highland.gov.uk, Tel. (01349) 886759

Traffic Data - Greg Otreba, Senior Technician

Grzegorz.Otreba@highland.gov.uk, Tel. (01463) 702234

Forestry

- 3.33 The Scoping Report notes that tree removal would be required. The EIAR should indicate all the areas of woodland / trees that would be felled to accommodate the development, including any off site works / mitigation. Compensatory woodland is a clear expectation of any proposals for felling, and thereby such mitigation needs to be considered within any assessment. If so minded, permission is only likely to be granted on the basis that compensatory planting proposals are identified in advance. Compensatory planting should be within the Highland area and not form part of an already approved forestry plan/proposal that has gained FC funding. Any proposed compensatory planting areas will be the subject of the Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017, and therefore a separate application will be required to be submitted to SF for a formal opinion on whether consent is required. For more information please see: <https://forestry.gov.scot/support-regulations/environmental-impact-assessment>. Areas of retained forestry or tree groups should be clearly indicated and methods for their protection during construction and beyond clearly described. If timber is to be disposed of, further details of the methodology for this should be submitted.

Cultural Heritage

- 3.34 The scope of this assessment 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.
- 3.35 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.
- 3.36 The Historic Environment Team (Arachaeology) consider that the information presented in the scoping report will adequately address an impact assessment for this proposal. The methodology as set out in the Section 6 of the Scoping Report is acceptable and will allow an assessment of the predicted impacts to be made. The scoped-out effects presented in 6.4 are reasonable. Where impacts are unavoidable, it is expected that methods to mitigate this impact be discussed in detail. The mitigation outlined in the Scoping Report is appropriate.
- 3.37 Historic Environment Scotland recommend that a ZTV is used to identify potential setting impacts in the first instance and that consideration should be given to including assets where even though the ZTV indicates that no direct intervisibility would be possible there is the potential for the development to appear in the background of key views towards these assets. HES are largely content with the list of historic environment assets within their remit proposed for further detailed assessment identified in Table 6.1 of the scoping report. However, it is noted that two scheduled monuments within the 5km study area are proposed to be scoped out of further assessment: St Magnus' church, burial ground and hospital (SM5413) and Chapel of Dunn, chapel, 300m SW of Oldhall House (SM5732). Paragraph 6.4 of the report states that these assets are proposed to be scoped out of assessment because they, "derive their significance solely from their form, material and historic function, not their setting or siting within the wider landscape". HES disagree with this statement in regard to the two scheduled chapel sites. The setting of both sites and their position within the wider landscape is likely to contribute to their cultural significance and has the potential to be impacted by the proposed development. Chapels were generally located in situations where they were visible to the community's which they served and have a connection to the surrounding landscape including settlements and routeways. They also tend to have a distinct sense of place and spirituality.

- 3.38 HES request that both chapel sites are included for further assessment at this stage. It may be possible to scope these scheduled monuments out of detailed assessment should it prove that the proposed substation would not have a significant impact on the setting of the monuments once the design of the proposals is more refined.
- 3.39 It is also unclear why the scheduled broch, Cnoc Donn, broch 600m ESE of Dale Farm, Halkirk (SM541) has not been included in Table 6.1 of the scoping report despite being within the 5km study area and in the gazetteer in Appendix M of the report. HES note that this asset is not mentioned as being scoped out in paragraph 6.4. HES welcomes that section 6 of the scoping report states that direct impacts and impacts on the setting of assets will be assessed. HES strongly recommend that the assessment itself and any necessary site visits are undertaken by appropriately qualified and experienced cultural heritage experts in accordance with the EIA regulations. HES also strongly 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. It is recommended that a ZTV is used for the identification of assets which could receive impacts to their settings in the first instance rather than a specific study area. HES recommend that the advice of your conservation specialists is sought with regard to the scoping out of potential impacts to the setting of the category B and C listed buildings in the surrounding area. HES note that this section of the scoping report does not identify the potential for cumulative impacts on historic environment assets. It will be important that the assessment considers the potential for significant cumulative effects on the setting of assets in the surrounding area from both the associated 400kV overhead line which will connect into this proposed substation and the proposed substation for the West of Orkney Offshore Wind Farm which is being proposed to the west of this site.

Socio-Economic, Recreation and Tourism

- 3.40 A Socio-Economic, Tourism and Recreation EIAR chapter is required. 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 groupings such as tourists and tourist related businesses, recreational groups, economically active, etc. 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 and operation of the development.
- 3.41 Forms of mitigation will include the accommodation and management of public access across the site in order to minimise any potential negative impacts and maximise benefits to outdoor access. While the Scoping Report and an eventual EIAR may include impacts on elements of outdoor access assessed under other headings it is considered that all the impacts on outdoor access should all be brought together here in a comprehensive assessment of the proposals visual and physical impacts on outdoor access during the preparatory, construction and operational phase.

Public Access

- 3.42 The EIAR should include an Access Management Plan to be developed in consultation with the Highland Council as Access Authority and other relevant stakeholder groups including neighbouring Community Councils, Companies, and Development Trusts. The AMP should accord with NPF4 Policies 11 (Energy) and 20 (Blue and Green Infrastructure) as well as HwLDP Policy 77 for Outdoor Access. The AMP should cover existing access and how that will be dealt with during the development, and future access provision within and linking to the development. The AMP should be clearly referred to in the EIAR Contents so that the Council's Access Officer can readily find it.
- 3.43 As a point of note, any vehicular gates that may be locked for security purposes, must have access compliant bypass gates alongside them at the time of installation.
- 3.44 The Council's Access Officer would welcome further discussion to assist you with your Access Management Plan.

Miscellaneous:

- 3.45 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 phases of development including construction, operation, and decommissioning. Issues such as dust, air borne pollution and / or vapours, noise, light, shadow-flicker can then be highlighted. Consideration must also be given to the potential health and safety risks associated with lightning strikes and ice throw 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 statement 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).
- 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.

Michael Kordas MRTPI

Planner – Strategic Projects Team

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