March 2025

Glen Earrach Pumped Storage Hydro

Environmental Impact Assessment Report

Volume 5: Appendices
Appendix 4.3: Gatecheck Report

Glen Earrach Energy Ltd

Glen Earrach AECOM

23 December 2024

AECOM

Glen Earrach Energy Pumped Storage Hydro Development

Gate Check Report 1

Glen Earrach Energy Ltd

Glen Earrach AECOM

Quality information

Prepared by	Checked by	Verified by	Approved by
Alex Irvine Environmental Consultant Katie Britton Senior Planner	Victoria Deacon Principal Environmental Consultant	John Daly Associate Director	David Lee Technical Director

Revision History

Revision	Revision date	Details	Authorized	Name	Position
Issued	23/12/2024	Final	DL	David Lee	Technical Director

Prepared for:

Glen Earrach Energy Ltd
50 Lothian Rd
Festival Sq.
Edinburgh
Scotland, EH39WJ

Prepared by:

AECOM Limited
1 Tanfield
Edinburgh EH3 5DA
United Kingdom

T: +44 (0)131 301 8600
aecom.com

Table of Contents

Figures

Tables

Glossary and Abbreviations

Abbreviation	Term
AESI	Adverse Effect on Site Integrity
AOD	Above Ordnance Datum
BEMP	Biodiversity and Enhancement Management Plan
BS	British Standard
BNG	Biodiversity Net Gain
CAR	Water Environment (Controlled Activities) (Scotland) Regulations
CCI	Community Conservation Index
CEMP	Construction Environmental Management Plan
CTMP	Construction Traffic Management Plan
DNO	District Network Operator
ECU	Energy Consents Unit
EHO	Environmental Health Officer
EIA	Environmental Impact Assessment
EIAR	Environmental Impact Assessment Report
FLS	Forestry Land Scotland
FWPM	Freshwater Pearl Mussel
GE	Glen Earrach
GEE	Glen Earrach Energy Ltd
GIS	Gas Insulated Switchgear
GW	Giga Watts
GWDTE	Ground Water Dependent Terrestrial Ecosystem
HES	Historic Environment Scotland
HIE	Highlands and Islands Enterprise
HRA	Habitats Regulations Appraisal
LA	Local Authority
LVIA	Landscape and Visual Impact Assessment
MMA	Materials Management Appraisal
MW	Mega Watts
NBN	National Biodiversity Network
NDSFB	Ness District Salmon Fishery Board
NGR	National Grid Reference
NVC	National Vegetation Classification
OAMP	Outline Access Management Plan
OLEMP	Outline Landscape Environment Mitigation Plan
OS	Ordnance Survey
PAC	Pre-Application Consultation
PAWS	Plantation on Ancient Woodland Site

Abbreviation	Term
PMP	Peat Management Plan
PPC	Pollution Prevention and Control Permit
PSH	Pumped Storage Hydro
PWS	Private Water Supplies
SAC	Special Area of Conservation
SBL	Scottish Biodiversity List
SEPA	Scottish Environmental Protection Agency
SGN	Scottish Gas Networks
SPA	Special Protection Area
SSE	Scottish and Southern Energy
SSEN	Scottish & Southern Electricity Networks
SSSI	Site of Special Scientific Interest
THC	The Highland Council
TWL	Top Water Level
UG	Underground
UKHab	The UK Habitat Classification System
WHPT UKTAG	Walley, Hawkes, Paisley & Trigg (WHPT) metric in River Invertebrate Classification Tool
UN	United Nations
WFD	Water Framework Directive
ZTV	Zone of Theoretical Visibility

Terminology

Term	Definition
Borrow Pit	An area where material is removed to be utilised in the construction of the Proposed Development.
Cable Tunnel	A dry tunnel which will hold the cables required for the operation of the Proposed Development. There are two Cable Tunnels.
Embankment	Structure retaining the Headpond waterbody, and in the case of the Proposed Development, there are three Embankments all of which are concrete faced rockfilled dams.
GIS Switchyard	A type of electrical equipment that uses a gas, such as sulfur hexafluoride (SF6), to insulate and protect various components of a power system.
Headpond	The Headpond is the upper reservoir with associated Embankments.
Lower Control Works	Where the waterways enter the Tailpond, the structure will predominately site on the west bank of Loch Ness
Main Access Tunnel	A dry tunnel for access and construction which will also be used in operation of the Proposed Development.
Permanent Access Track	Permanent roads within the Proposed Development Site that will be either existing, upgraded existing, or new roads used during both construction and operation. All permanent tracks will remain throughout the life of the Proposed Development.
Permanent Construction Compound	Areas used for operational activities that will remain throughout the life of the Proposed Development. These areas will be used for (gas insulated switchgear) GIS Switchyard, Tunnel Portals, and the Valve House.
Power Cavern Complex	Underground cavern split into two sections: powerhouse cavern (containing the pump turbines); and transformer cavern (containing the transformers)
Spillway	Overflow weir used to drain any excess water from the Headpond
Tailpond	The Tailpond is the lower reservoir, and in the case of the Proposed Development, will be the existing body of Loch Ness.
Temporary Access Track	Temporary roads within the Proposed Development Site that will be either existing, upgraded existing, or new roads used only for during of construction. All temporary tracks will be removed and reinstated post-construction.
Temporary Construction Compound	Areas used for construction activities that will be removed and reinstated post construction. These areas will be used for construction related activities such as laydown areas, work yards, welfare facilities, temporary workers accommodation, parking, office space and for general site activities.
Temporary Workers Accommodation	Temporary accommodation and associated welfare and sports facilities to accommodate circa 1000 workers during the construction phase of the Proposed Development
The Applicant	Glen Earrach Energy Ltd
The Application	The application for consent under Section 36 of the Electricity Act and deemed planning permission under Section 57(2) of the Town and Country Planning (Scotland) Act 1997
The Proposed Development	The Glen Earrach Pumped Storage Hydro Project
The Proposed Development Site	Land within which the Proposed Development would be situated
The Red Line Boundary	Application boundary which contains the Proposed Development Site
Tunnel Portal	Entrance to the dry tunnels (Main Access Tunnel & Cable Tunnel). The entrances to the tunnels would have parking, lighting and security fencing.
Upper Control Works	Where the Waterways exit the Headpond, the structure will predominantly sit within a trench between Embankments 2 and 3.
Valve House	A structure housing scour valves.
Waterways	Comprises the wet tunnels required for the movement of water throughout the Proposed Development. In the case of the Proposed Development there are eight wet tunnels: low pressure headrace 1& 2, pressure shaft 1 & 2, high pressure headrace & manifold 1 & 2, and low-pressure tailrace 1 & 2.

1. Introduction

1.1 Overview

This Gate Check Report has been prepared by AECOM on behalf of Glen Earrach Energy Ltd. (hereafter referred to as the 'Applicant').

The Applicant submits this report in advance of an application to the Scottish Ministers under Section 36 of the Electricity Act 1989 ('the Electricity Act'), for consent together with deemed planning permission under Section 57(2) of the Town and Country Planning (Scotland) Act 1997 to:

Construct an electricity generating station with a capacity exceeding 50 megawatts (MW), the proposed Glen Earrach Pumped Storage Hydro (PSH) scheme (hereafter referred to as the 'Proposed Development').

The application for consent for the Proposed Development will be supported by an Environmental Impact Assessment Report (EIAR). A request for a formal scoping opinion pursuant to Regulation 12 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, along with an EIA Scoping Report setting out the proposed scope of the EIAR, were submitted to the Scottish Ministers on 26 April 2024.

The Scoping Opinion was received from the Energy Consents Unit (ECU) on the 17 December 2024.

1.2 The Applicant

The Applicant is Glen Earrach Energy Ltd. (GEE), a 100% owned subsidiary of Balmac Forest Limited (Balmacaan Estate), which acquired the Balmacaan Estate in 1994.

GEE is delivering the Glen Earrach Pumped Storage Hydro project to enable the transition to Net Zero. Energy storage projects will be of critical importance as we move towards 100% renewable energy generation, as they provide the balancing and back-up services a secure and efficient energy system requires.

1.3 Scope and Structure

The purpose of this Gate Check Report, in line with the requirements of the Energy Consents Unit: Good Practice Guidance for Applications under Section 36 and 37 of the Electricity Act 1989 (ECU, July 2022), is to set out how the comments provided in relation to the request for a scoping opinion are to be addressed by the applicant and taken forward in the EIAR.

Table 1-1 below sets out the structure of this Gate Check Report in accordance with the recommendations set out in the ECU's Good Practice Guidance:

Table 1-1 Structure of the Gate Check Report

Section		Description	ECU Good Practice Recommendation
1	Introduction	Setting out the scope and structure of this Report.	N/A
2	The Proposed Development	Details of the surrounding environment and a summarised project description of the Proposed Development including the evolution of the Development.	The iterations of the design.
3	Consultation	Details of the consultation undertaken by the Applicant to date, and the Applicant's response to responses received.	Interactions with the statutory (and non-statutory) consultees, as well as engagement with the local community. The advice the applicant has received since the scoping consultation and how it has taken that advice forward.
4	Next Steps	Details of the next steps for the submission of the application and associated timescales.	The timeline for the submission of the application with anticipated dates for adverts, consultee lists and the proposed locations of the EIAR for public viewing.
Appendix A	Figures	The figures referenced within this Report.	N/A

Section		Description	ECU Good Practice Recommendation
Appendix B	Summary of Consultations and Actions Taken	A summary of all consultation responses received, and relevant actions taken.	A summary of how the applicant has approached or proposes to approach the key matters raised in the scoping opinion and subsequent engagement.
Appendix C	Document Copies	Copies of the consultation responses received.	N/A

This Gate Check Report, prepared in December 2024, sets out the identified assessment methodology and evolution of the design of the Development up to the start of EIA reporting and nearing the time of the design "freeze".

2. The Development

2.1 Site Description

The Proposed Development is located at central national grid reference (NGR) NH 45255 22395, approximately 9.5 km to the south of Drumnadrochit and 6.5 km north of Invermoriston, within THC region ('the Proposed Development Site'), as shown in **Figure 1 Site Location Plan (Appendix A Figures)**. The Proposed Development Site is generally characterised as land capable for use as rough grazing with low quality flora. The Headpond location at Loch nam Breac Dearga sits at approximately 485 m above ordnance datum (AOD).

There is no woodland within the proposed Headpond area in the Proposed Development Site, with woodland pockets restricted to the eastern, southern and south-western boundaries of the Proposed Development Site. These woodlands include: plantation woodland along the eastern boundary of the Proposed Development Site alongside the existing access track from Grotaig and commercial forestry along the A82 and along the existing access track from Alltsigh.

The Proposed Development is predominantly located within the catchment of the Allt Saigh watercourse. The Allt Saigh is fed by several smaller streams and lochans in the mountains to the west of Loch Ness, which it flows into at Alltsigh. Flow in the upper reaches of the catchment is diverted at a dam to the Livishie power station.

2.2 Environmental Designations

There is a scheduled monument within the Proposed Development Site, the Dun Scriben fort, near Grotaig, near the south eastern boundary of the Proposed Development Site. Within the wider area, the Dubh Lochs Site of Special Scientific Interest (SSSI) and the North Inverness Lochs Special Protection Area (SPA) is approximately 240 m north of the Proposed Development Site near the River Coiltie. Additionally, the Levishie Wood SSSI and the River Moriston Special Area of Conservation (SAC) are around 3 km southwest of the Proposed Development Site. Scotland's Environment Map[1] also shows ancient woodland present along the banks of Loch Ness within the south-eastern section of the Proposed Development Site. The Great Glen Way is also routed through this area from northeast to southwest. These are shown on **Figure 2 Environmental Constraints (Appendix A Figures).**

2.3 Site Access

There are no classified roads within the main part of the Proposed Development Site at the Headpond. However, the Tailpond is bound by a classified road (A82) at the proposed Lower Control Works. The A82 links Invermoriston to Drumnadrochit and continues north to Inverness.

Construction Access

The main construction access is proposed off the A831 at Balnain via a 9.5 km unclassified existing track through Forestry Land Scotland (FLS) plantation, terminating at the River Coiltie. Sections of this existing track would be repaired and upgraded in width, where required. A new track, viewed as the 'main haul road' is proposed to link the unclassified existing track at the Coiltie to the Headpond. This new track splits into two branches with one extending to the southeast and the other to the southwest to ensure access to the embankments. Additional access tracks are proposed around the Headpond and branching off the 'main haul road'. In total, approximately 11.5 km of access tracks for construction are proposed. Additional limited construction access will be required for the Lower Control Works on Loch Ness from the A82, with the majority of the works planned to be undertaken from the loch side.

Operational Access

The main operational access is proposed to be the same track as construction off the A831 at Balnain, with a secondary access off the A82 at Alltsigh via a 5.7 km unclassified existing track (to be upgraded) and a 1.6 km section of new access track to the Valve House. Of the 11.5 km of access track proposed for construction, approximately 10.6 km will be retained for operation and partially reinstated, with 1.1 km of access being fully reinstated post-construction.

[1] Scotland Environment Map [online] Available at: https://www.environment.gov.scot/maps/scotlands-environment-map/

Operational access to the Lower Control Works will also be required off the A82.

2.4 Project Design

A detailed project design will be available in the EIAR and will be accompanied by detailed drawings showing the above and below ground infrastructure. The project design is summarised below. Note all dimensions are indicative.

Arrangement	Component	Description (all dimensions are indicative)
Above Ground	Headpond	The Headpond is the upper reservoir and will be constructed through a combination of excavation and creation of three manmade embankments plus a spillway. The existing topography is utilised in the design to reduce the number and dimensions of constructed embankments. Component parts of the Headpond include: • Headpond reservoir – referring to the waterbody with a working volume of up to 27,000,000m^3 located at NGR NH 45255 22395. • Embankment 1: Main Dam • Embankment 2: Saddle Dam 1 • Embankment 3: Saddle Dam 2 • Spillway (The spillway is located on the north-east of the Headpond and allows for water to flow out of the Headpond in the event of an overfill) The Headpond will include one Borrow Pit within its interior. Borrow Pit (BP01) is required to excavate the required material for the construction of the Embankments and reduce the reliance on delivery of additional material to site via public roads.
	Valve House	The Valve House is located on the outer toe of the Main Dam and will be used for dam safety purposes. The Valve House consists of scour valves, used to release water from the Headpond for maintenance and emergency purposes.
	Scour Flow Attenuation Bund	A secondary bund to the SW of the Main Dam acting to provide attenuation of scour flows to a flow in line with the capacity of the downstream channel.
	Upper Control Works	Inlet / outlet structure within the Headpond. Location: NGR NH 45275 22957
	Tailpond	The Tailpond is the lower reservoir, and in the case of this Proposed Development, will be the existing body of Loch Ness. Tailpond Location (at Lower Control Works): NGR NH 47345 20831
	Lower Control Wworks	Inlet / Outlet structure within the Tailpond. Includes access provisions, separated smolt and trashrack screens and provisions for isolation of the waterways. Location: NGR NH 47345 20831
	Switching Station	The switching station will also be an above ground component that will consist of secure electrical compounds (one controlled by the project and one controlled by the DNO), in which electrical equipment will be housed. The switching station would consist of control building(s), switchgear, busbars, perimeter fence, and overhead or underground cables Location: NGR NH 45671 26397
	Construction compounds	Temporary and permanent compounds will be required across the Proposed Development. Some will be used for construction related activities such as laydown areas, work yards and for general site maintenance. Others will be used for office space, parking areas, welfare areas, and accommodation. These may include electric charging points for electric shuttle cars/buses.
	Tunnel Portals	Three tunnel portals. All portals located in the North of the Proposed Development Site near the River Coiltie.
	Construction Site Access	The main construction access is proposed off the A831 at Balnain via a 9.5 km unclassified existing track through Forestry Land Scotland (FLS) plantation, terminating at the River Coiltie. Sections of this existing track would be repaired and upgraded where required. A new track is proposed to link the unclassified existing track at the Coiltie to the Headpond and will require approximately 11.4 km new track. This new track splits into two branches with one extending to the southeast and the other to the southwest to ensure access to the embankments. Additional construction access will be required for the Lower Control Works on Loch Ness from the A82.
	Operational Site access	Main operational access is proposed utilising the same track as construction off the A831 at Balnain, with a secondary access off the A82 at Alltsigh via a 5.7 km of unclassified existing track (to be upgraded) and a 1.6 km section of new access track to the Valve House. Of the 11.5 km of access proposed for construction, approximately 10.6 km will be retained for operation and partially reinstated, with 1.1 km of access being totally reinstated. Operational access to the Lower Control Works will also be required off the A82.

Arrangement	Component	Description (all dimensions are indicative)
	Workers accommodation	Temporary workers' accommodation will be required to house construction workers during the construction phase. The Proposed Development includes accommodation and facilities for up to 1000 persons which will be located within the northern section of the Proposed Development Site, approximately 425 m south of the River Coilte. The workers accommodation will be constructed in phases according to the construction programme. The compound will contain all necessary infrastructure to support the residents throughout construction, minimising travel off-site. This includes medical facilities, shops, catering, gym and sports facilities, site offices, firefighting facilities, water treatment and distribution infrastructure, waste management and recycling facilities, gas storage and distribution infrastructure, and others. Compound staff will also be housed on-site, and a park and ride system will be implemented should off site travel be required.
	Walking Routes	Sections of the existing Affric Kintail Core Path within the site boundary will be diverted during construction. Additional informal paths will also be rerouted if there is a deemed risk to users during construction. Sections of the access tracks required to be constructed for the Proposed Development will be signposted. An outline Access Management Plan is being produced and will accompany the Application. A detailed Access Management Plan will be prepared and will detail the permanent approach to walking routes post construction.
Below Ground	Waterways	Headrace Tunnels - Tunnels connecting the Headpond to the pump turbines within the power cavern. Tailrace Tunnels - Low pressure tunnel connecting the pump turbines to the Lower Control Works. The design and alignment of the waterways is being progressed.
	Dry Tunnels	Tunnels for access, construction and power which will be used in operation. • Main Access Tunnel - underground tunnel providing access (construction and operation) to the power cavern. • Cable Tunnels (2 No.) – underground tunnels housing the electrical cables for the Proposed Development. During construction, the cable tunnels will be used as construction tunnels. • Cross adits between tunnels • Supporting tunnels around the Power Cavern to enable access and construction works The design and alignment of the dry tunnels is being progressed.
	Power Cavern Complex	The Power Cavern Complex is made up of two caverns (connected by galleries). • Power Cavern – Housing the pump turbines and associated equipment. • Transformer Cavern – Housing the transformers and associated electrical equipment. The location of the Power Cavern complex differs between Option A and Option B: • Option A: Location of cavern east of Loch nam Breac Dearga to the south of Meall Fuar-Mhonaidh • Option B: Location of cavern north east of Loch nam Breac Dearga. The design and location of the structure is being progressed.
	Gate Shaft	There will be a structure in place to isolate the waterways located between the Upper Control Works and the pressure shaft. The design, type and location of the structure is being progressed and could consist of a gate shaft or an underground cavern with isolation valves.
Grid Connection	Temporary connection	A temporary grid connection will be required to the local distribution network to reduce fuel consumption and noise associated with on-site generators
	Permanent connection	The grid connection for the Development will be via the new GIS Switchyard located within the Proposed Development Site

2.5 Design Evolution

The Proposed Development has evolved through an iterative design process where the design has been informed by and refined throughout the EIA process. The Headpond design has evolved through consideration of engineering feasibility, environmental constraints and overall operational output. Where possible, mitigation has been embedded into the design to reduce any potential significant effects from the Development on identified sensitive receptors. Consultation responses, stakeholder feedback, public consultation and collation of baseline survey results have and will continue to influence the final submitted design for the Proposed Development.

The area has previously been subject to feasibility studies when Scottish and Southern Energy (SSE) looked at Balmacaan as a site for a PSH scheme in 2009/2010. SSE's previous concept was for a 900 MW, 30,000 MWh PSH project using Meal Fuar-Mhonaidh on the north shore of Loch Ness. The Applicant chose to develop this existing concept as the topography and geology of the area provides a highly suitable location for a pumped storage hydro project, with the potential for industry-leading levels of energy efficiency.

The following section below describe the design process for the Development to date.

Design I: Pre-Feasibility (April 2022)

The initial pre-feasibility phase reviewed the potential for PSH development across the Balmac Estate, utilising Loch Ness as the Tailpond. An indicative arrangement of the Development was then designed, which is based on a Headpond centred around Loch nam Breac Dearga. Two options were developed for the Headpond, a single embankment layout and a two-embankment layout. During the pre-feasibility stage, the overall buildability, landscape and visual impact of the development and the overall operational capacity were considered for both options. This design can be viewed on **Figure 3 Design Evolution: Design I Pre-Feasibility (Appendix A Figures).**

Design II: Feasibility (February 2023)

At the second feasibility phase, the work done in April 2022 was refined, for a target storage capacity of 30 GWh, informed by an economic analysis of the UK Grid's instability during 2022. This target capacity was achievable through the addition of a third embankment for the Headpond, which increased the volume of water it could store. This design can be viewed on **Figure 4 Design Evolution: Design II Feasibility (Appendix A Figures).**

Design III: Scoping

The design prepared for the February 2023 Feasibility study was confirmed as the scoping design in March 2024, upon further engineering and initial landscape and visual impact reviews. This design can be viewed on **Figure 5 Design Evolution: Design III Scoping (Appendix A Figures).**

Following the finalisation of the sizing of the Headpond, the access requirements were reviewed with three potential access routes identified for the Development. These included: (1) the A82 via Grotaig; (2) A82 via Alltsigh; and (3) A831 via Balnain.

Design IV: Post Scoping

The design workshop took place on the week starting 09/09/2024. The key design changes are listed below:

- The major temporary and permanent works were consolidated and relocated to an area further north, near the River Coiltie. This change was made following feedback from the early community engagement and was made to reduce impacts on the local community at Grotaig and also to consolidate above ground infrastructure in a single location.
- The area of the Proposed Development Site was altered to the north to extend to allow for flexibility regarding the location of a substation.
- Construction Access to the site was confirmed from the north via the existing FLS forestry road which will be upgraded to suit the needs of the project. The alternatives identified were deemed to be unsuitable for heavy construction traffic both due to grade and current state of the routes and a desire to remove unnecessary traffic load on the A82.
- Two options were developed for the below ground infrastructure due to perceived geological risk. The main differences between the two options are the location of the power cavern and associated tunnels.
- The design of the Lower Control Works was refined with the intention to limit disruption on the A82 along Loch Ness. A separate smolt screen was added to the structure to enable for a smaller footprint of the lower control works.

The updated scheme was presented for feedback at the public consultation event as set out in Section 4 Community Consultation with two options for the location of the Power Cavern and waterways. This design can be viewed on **Figures 6 and 7 Design Evolution: Design IV Post Scoping (Appendix A Figures)**.

Design V: Post-Pre-application Consultation (PAC)

The design was reviewed following public consultation according to the feedback that was received and is still currently being progressed. Details of the feedback and the project responses to date, including design updates, are detailed in Table 3-1.

3. Consultation

3.1 Introduction

This section summarises any consultation undertaken to date and notes the key advice received and actions taken. The consultation undertaken to date is as follows:

- EIA Scoping (ongoing from April 2024);
- Pre-application Advice (August to October 2024);
- Community Consultation:
  - Early Community Engagement (May 2024);
  - Initial Public Consultation (August and September 2024); and
  - Pre-application Consultation (October and November 2024).; and
- Additional Ad-hoc Consultation (Ongoing) with statutory and non-statutory consultees.

A summary of all consultation responses received to date and actions taken is provided in **Appendix B Summary of Consultation Responses and Action Taken**.

3.2 EIA Scoping

Summary of Consultation

A request for an EIA Scoping Opinion was submitted to the Energy Consents Unit (ECU) on the 26 April 2024 (reference ECU00005121). The EIA Scoping Report provided a description of the Development which included the various design iterations as detailed in **Section 2.5** above and shown by **Figures 3 to 7** in **Appendix A**.

Consultation responses to the Scoping Opinion from The Highland Council, SEPA, Buglife and Glen Urquhart Community Council were issued between June 2024 and September 2024. A pre-application consultation response was also issued on 19 September 2024 by The Highland Council, this was informed by feedback from Historic Environment Scotland and NatureScot.

An adopted Scoping Opinion was received from the Energy Consents Unit (ECU) on the 17 December 2024.

Responses in relation to scoping were not received from the following bodies who were consulted by the ECU:

- BEAR Scotland;
- Beastie Boats;
- Civil Aviation Authority;
- Communities Inshore Fisheries Alliance;
- Cruise Loch Ness;
- Defence Infrastructure Organisations;;
- Fisheries Management Scotland
- Fort Augustus and Glenmoriston Community Council;
- John Muir Trust;
- Loch Ness by Jacobite;
- Mountaineering Scotland;
- National Grid;
- Ness and Beauly Fisheries Trust;
- Scottish & Southern Electricity Networks (SSEN);
- Scottish Canals 2 – Caledonian Canal;
- Scottish Canoe Association;
- Scottish Fishermen's Federation;
- Scottish Fishermen's Organisation;
- Scottish Forestry;
- Scottish Wild Land Group;
- Scottish Wildlife Trust;
- The Loch Ness Visitor Centre; and
- Visit Scotland.

The next section provides a summary of the key advice received from scoping consultees and how this advice was taken forward.

Key Advice Received and Actions Taken

Landscape and Visual

The Highland Council

The Landscape Officer at THC emphasised that the survey approach for Landscape & Visual Cumulative Impact assessment should include wind energy developments. There was also a request to include a viewpoint from Meall Fuar-Mhonaidh. A claimed Right of Way to the north of Loch Nam Breac Dearga was also noted.

> *"The Landscape and Visual Impact Assessment of the proposed development should include any cumulative effects arising from interaction with existing and proposed wind energy developments. While the developments are very different in nature, both represent large scale, man-made interventions in the landscape, with potential to change the perception of scale and distance within the landscape. The proposed viewpoints appear to largely cover the predicted receptors, but I would request a viewpoint from Meall Fuar-Mhonaidh itself. While it is clear that much of the summit plateau is not likely to have visibility, the resolution of the supplied ZTV is not sufficient to rule out visibility from the north west edge of the plateau and the effects from here need to be understood and assessed. I would also note that in addition to the access routes noted in the Scoping Statement, there is also a claimed Right of Way to the north of Loch Nam Breac Dearga".*

Guidance was also provided on the methodology including for cumulative impacts, the citations for SLAs and the visualisation standards the details of which can be viewed in **Appendix B Summary of Consultation and Actions Taken**.

Response

The survey approach for the cumulative impact assessment will include wind energy developments and will be considered within **Chapter 6 Landscape and Visual** of the EIAR. A viewpoint from Meall Fuar-Mhonaidh has also been included within the LVIA of the EIA.

Cultural Heritage

Historic Environment Scotland (HES)

HES do not agree with the scoping out of potential physical impacts on designated assets within HES's remit. HES note that the scheduled monument Dun Scriben for (SM6220) falls within the Proposed Development Site with the proposed improvements to an existing access track locating c. 100 m to the east and request further details are required regarding the potential creation of the access track and the potential for direct and /or indirect physical impacts to arise from its formation on this scheduled monument.

Significant further consideration will also be required in order to determine the likely extent of indirect physical impacts on Cherry Island crannog, Inchnacardoch Bay, Loch Ness (SM9762) and Urquhart Castle (SM90309) from the potential fluctuation in water levels in Loch Ness caused by the proposed development.

Response

The Applicant has engaged with HES to agree the methodology of the EIA cultural heritage assessment. The impacts on heritage assets will be reported in Chapter 12 Cultural Heritage of the EIAR.

Aquatic Ecology

Buglife Scotland

Buglife Scotland requested that macroinvertebrate sampling locations provided adequate coverage of the shorelines of Loch Ness and Loch nam Breac Dearga.

Response

Macroinvertebrate surveys have been completed according to relevant best practice methods (and informed by the consultation response from BugLife). The assessment of impacts on macroinvertebrates will be detailed within **Chapter 9 Aquatic & Marine Ecology** of the EIAR.

NatureScot

NatureScot raised concerns about the impacts of the qualifying interests of the River Moriston Special Area of Conservation (SAC) and the Moray Firth SAC.

NatureScot considers that the proposal has the potential to adversely affect the integrity of the River Moriston SAC through impacting the qualifying interests of Atlantic Salmon and Freshwater Pearl Mussel.

> *"We consider that this proposal has potential to adversely affect the integrity of the River Moriston SAC. If so, Energy Consents Unit would need to consider whether the tests in Regulations 49 and 53 of the Habitats Regulations can be met".*

As little is known about how smolts move within Loch Ness, surveys of the movement of smolts from the River Moriston SAC through Loch Ness may be required.

NatureScot notes the importance of salmon to Bottlenose dolphin which is a qualifying interest of the Moray Firth SAC.

> *"The Glen Earrach pumped storage scheme therefore has the potential to impact on the bottlenose dolphin feature through impacts on the numbers of migrating salmon exiting the Ness catchment and also potentially reducing the numbers of returning fish.*
>
> *Any assessment should consider the same impact pathways for Atlantic salmon as discussed above, given the importance of Atlantic salmon to the bottle-nosed dolphin qualifying interest of the Moray Firth SAC. We will be happy to comment on the applicant's draft HRA for Moray Firth SAC, prior to submission".*

Response

A detailed assessment of the potential impacts and effects of the Proposed Development on the River Moriston SAC and Moray Firth SAC will be provided in the Statement to Inform Habitats Regulations Appraisal and within **Chapter 9 Aquatic & Marine Ecology** of the EIAR.

Water Levels

Caley Cruisers Ltd

Caley Cruisers noted concerns regarding the cumulative impact on the operability of the canal and issues arising from abnormally low and high water levels.

Response

The cumulative drawdown of PSH schemes on Loch Ness (Loch na Cathrach (formerly Red John) PSH, Loch Kemp PSH, and Foyers PSH) is being assessed through hydraulic modelling, these results will inform the EIAR and will include an assessment of the operability of the canal. The model is a water balance model which considers inflow, outflow using a rating curve, and pumping or generating on each PSH scheme. To assess the cumulative impact of the schemes, publicly available data for the planned schemes (Loch na Cathrach PSH and Loch Kemp PSH) have been modelled. The operation of the Foyers scheme is already accounted for in the net inflow series as it is currently in operation and therefore has not required to be modelled.

NatureScot

NatureScot requested modelling water levels for various generation and pumping using the realistic worst-case scenarios. The EIAR should also address how the lower water levels in Loch Ness and subsequently on the mouth of the River Moriston while the scheme is abstracting water and the impacts on Fresh Water Pearl Mussels. NatureScot also noted the need to understand the implications of mitigation such as raising water levels on Urquhart Bay Woods SAC and the Ness Woods SAC.

> *"The assessment should include modelling water levels in Loch Ness for various scenarios of generation and pumping (abstraction) using the most realistic worst-case scenarios. This should be set against the current baseline which includes Foyers PSH and the Caledonian Canal. In addition, modelling and assessment should, separately, consider the effects of the proposal in combination with other proposed developments that could affect water levels, including Red John and Kemp pump storage hydro schemes."*

Response

As per the above response, the cumulative drawdown of PSH schemes is being assessed through hydraulic modelling, these results will inform the EIAR, including impacts on ecological receptors as well as on the operability of the canal.

Ness District Salmon Fishery Board

NESS District Salmon Fishery Board note concerns regarding the impact of water levels and flow changes on the salmon smolts and the shoreline ecology of Loch Ness.

Response

NDSFB have been engaged directly by the Applicant in relation to salmon smolts and the wider issues raised in their response.

Chapter 10 Water Environment and **Chapter 11 Flood Risk & Water Resources** of the EIAR will provide an assessment of the water level and flow changes and potential impacts on the water environment and resources.

Chapter 9 Aquatic and Marine Ecology of the EIAR will be informed by a study consisting of a detailed literature review and existing data on salmon smolt. A further salmon smolt study will be undertaken to evaluate the EIAR assessment and additionally inform the detailed mitigation measures. The further salmon smolt study scope has been sent to NESS District Salmon Fishery Board for their feedback.

Scottish Canals

Scottish Canals notes that the Proposed Development could potentially impact water levels in Loch Ness and adjacent canal, which could exceed canal design parameters, presenting risks of infrastructure failure and /or overtopping and flooding and requests that the projected impacts of climate change are included in the hydrological modelling for all proposed and current pumped storage schemes on Loch Ness.

Scottish Canals also request that the impact of licensed water use at Dochgarroch Lock is considered in the EIA. Scottish Canals will be able to provide flow information relating to Dochgarroch Lock for inclusion in the hydrological modelling for the proposed development.

Scottish Canals requires further information on the impact of the scheme not only on Loch Ness water levels, but also, the water flow regimes in the vicinity of their operational assets and reservoirs and any potential increased asset fatigue now, and in the future, based on UK projected climate change impacts. In addition, the impacts of fluctuating water levels on lock operations by both operational and non-Scottish Canals staff needs to be considered.

Response

The water engineering team will engage with Scottish Canals directly to review the potential impact of the Proposed Development on Scottish Canal's assets.

Terrestrial Ecology and Ornithology

Buglife Scotland

Buglife Scotland noted concerns that surveys for terrestrial invertebrates were scoped out indicating the site's location adjacent to an Important Invertebrate Area as well as habitats within the site boundary important to SBL species and notable species of conservation concern.

> *Therefore, surveys should be considered to ensure an adequate impact assessment can be made for terrestrial invertebrates. Given the range of habitats impacted, Buglife strongly recommends terrestrial invertebrates are considered within the Environmental Impact Assessment, with any necessary invertebrate surveys undertaken, as determined by a suitably qualified entomologist.*

Response

Regarding terrestrial invertebrates, habitat impact will primarily be on blanket bog and wet heath. The extent of impact on these habitats will be minor compared to their vast extent in the wider estate. Lochans with sphagnum-rich parts/edges that are potentially viable for Somatochlora dragonfly species have been noted in the vicinity of Loch nan Oighreagan, and a Somatochlora species was observed here; however, the lochans here are expected to be retained intact and unaffected.

Impacts on 'Plantation on Ancient Woodland Site' (PAWS) are expected to be none to very minimal, and whilst a thin band of ancient semi-natural woodland beside Loch Ness would be affected, the extent of impact would be extremely small compared to the extents of this habitat around Loch Ness. As such, there are not likely to be any significant impacts on terrestrial invertebrates.

NatureScot

NatureScot raised concerns about the impacts of the qualifying interests of the Urquhart Bay Woods SAC.

Requests for impacts on Urquhart Bay Woods SAC to be considered further than in the Scoping Report.

> *We advise that the applicant provides sufficient information to enable an assessment of potential effects on the conservation objectives of the site and to demonstrate whether it can be ascertained that there is no Adverse Effect on Site Integrity (AESI).*

Requests that all possible impact pathways are considered.

NatureScot also note that they would be happy to comment on a draft HRA for the relevant designated sites prior to submission.

Response

It is acknowledged that there is the potential to impact on ecological features. A detailed assessment of the potential impacts and effects of the Development on Urquhart Bay Wood SAC will be provided in the Statement to Inform Habitats Regulations Appraisal and within **Chapter 7 Terrestrial Ecology** of the EIAR.

NatureScot will be consulted on the draft HRA prior to the submission of the s.36 application.

RSPB

RSPB note that the Proposed Development is in an area adjacent to the North Inverness Lochs Special Protection Area (SPA)) designated for its population of Slavonian Grebe. RSPB recommend a minimum of two years of waterfowl surveys paying particular attention to any areas of bottle sedge and willow on lochan edges in May/June. RSPB go on to note that they hold the Slavonian Grebe dataset as well as other breeding birds in the area.

Response

The impact of the Proposed Development on the North Inverness Lochs Special Protection Area (SPA) and its population of Slavonian Grebe will be considered within **Chapter 8 Ornithology** of the EIAR. The Applicant notes the request for two years of bird surveys. This recommendation will be considered within **Chapter 8 Ornithology** of the EIAR.

Biodiversity Enhancement

RSPB

RSPB note the importance of NPF4's commitment to deliver positive effects for biodiversity through development. They request that an outline Biodiversity Enhancement Management Plan (or similar) be presented as part of the EIA.

Response

Biodiversity enhancement will be reported in the EIAR and will aim to demonstrate that the project delivers biodiversity enhancement in accordance with the National Planning Framework (NPF4). The biodiversity enhancement will be included in the EIAR. The BNG assessment will be carried out using SSE Renewables' Toolkit for BNG. The toolkit is an adapted version of the Defra metric which has been designed for use in Scotland and allows for better consideration of the local context and knowledge of habitat restoration/creation in Scotland. As such for this project, it is considered a more appropriate tool for use.

The Highland Council

THC required a BNG (Biodiversity Net Gain) assessment and Biodiversity enhancement to demonstrate that the development will significantly enhance the biodiversity of the site.

Response

The BNG assessment will be carried out using SSE Renewables Toolkit for BNG. The toolkit is an adapted version of the Defra metric which has been designed for use in Scotland and allows for better consideration of the local context and knowledge of habitat restoration/creation in Scotland.

Geology and Soils

SEPA

SEPA raised concerns about the proposed extent of the Phase 2 peatland survey plan.

Response

Direct engagement was undertaken with SEPA to discuss the concerns. This resulted in the Phase 2 peatland survey plan being amended to focus on detailed peat probing along the proposed main access track and probing in areas where no probing was recorded during the Phase 1 peatland survey.

3.3 Pre-application Advice

Summary of Consultation

Pre-application Advice for Major Developments was requested by the Applicant and received from THC on 19 October 2024 (24/00617/PREMAJ). Historic Environment Scotland provided comments as part of THC pre-application advice response. In advance of this advice being received, and to inform the pre-application advice

pack, a meeting was held with representatives from THC, NatureScot and the Scottish Environment Protection Agency (SEPA) on 14 August 2024.

The next section provides a summary of the key pre-application advice received and how this advice was taken forward.

The full Major Pre-Application Advice pack received from THC is provided in **Appendix C Document Copies**.

Key Advice Received and Actions Taken

THC have requested a Design and Access Statement (including a Sustainable Design Statement setting out strategy for electric car charging points on site) as part of the planning submission. The design of the Proposed Development will be detailed in **Chapter 2 Project and Site Description** and **Chapter 3 Evolution of Design and Alternatives** of the EIAR. Chapter 2 will include details on the strategy for electric car charging points.

The Landscape Officer at THC has requested that the design of the Proposed Development *"should seek to emulate the characteristics of ruggedness, rocky outcrops and absence of human artefacts"* to better tie into the surrounding landscape character and to design the Headpond to limit its prominence. The Proposed Development has been designed, as far as possible, to integrate into the surrounding landscape and views. Most of the Proposed Development is located underground with any above ground features designed and sited sensitively. Vegetation reinstatement and earthwork profiling will further blend the Proposed Development into the existing landscape.

The Landscape Officer also requested additional viewpoint to be assessed as part of the EIA at *"south facing slopes of the Broad Steep-Sided Glen LCT above the A82 immediately west of Urquhart Bay"*, a viewpoint from the north western edge of the summit plateau of Meall Fuar-mhonaidh, a suitable location for receptors on the water of Loch Ness, and a suitable locations for viewpoints both north and southbound of the A82, should the GIS switchyard and Lower Control Works be visible from the A82. The additional viewpoints have been assessed as part of the EIAR.

THC queried if there would be any scope for strategic opening up of views to the loch in the vicinity of their shore works, where this would not adversely affect slope stability or integrity of existing habitats etc. The inclusion of a viewing platform is currently being considered by the Applicant in response to the landscape comments; however, there are wider considerations including the potential for forestry and transport impacts that need to be considered and operational considerations.

The Access Officer for THC have requested an assessment of the impacts on long distance routes within the site. An assessment on these routes will be carried out and secondary mitigation measures will be developed through an outline Access Management Plan.

THC have requested that a BNG assessment be carried out. As set out above, biodiversity enhancement will be reported in the EIAR and will aim to demonstrate that the project delivers biodiversity enhancement in accordance with the National Planning Framework (NPF4). The BNG assessment will be carried out using SSE Renewable's Toolkit for BNG.

3.4 Community Consultation

Summary of Consultation

The Applicant has engaged meaningfully with the local community and community councils from an early stage. Engagement involved two stages: 1. early engagement and 2. pre-application consultation events. The feedback from both events has been used to inform the design process, the EIAR assessments and the mitigation measures.

Early Engagement - May and September 2024

Five early engagement events were held between May and September 2024 to introduce the Proposed Development and provide an opportunity for people to give early feedback. This included a roundtable session with business and community representatives and a public meeting both in May 2024, and early public consultation events in Balnain, Invermoriston and Foyers in August and September 2024.

Feedback from the early engagement events informed the emerging design. This included relocating the proposed compounds to the north west of the site and was used to narrow down the options for site access. The feedback also informed the information taken to the subsequent pre-application consultation events.

Pre-Application Consultation – October and November 2024

There is no statutory requirement to undertake pre-application consultation in the Electricity Act 1989. Therefore, pre-application consultation has been carried out in line with the Scottish Government's 'Good Practice Guidance for Applications under Section 36 and 37 of the Electricity Act 1989' (2022).

Details of the pre-application consultation events were provided to the ECU on 04 October 2024, prior to undertaking the consultation events. No feedback was received from the ECU.

Whilst not a statutory requirement for a S36 Electricity Act application, a Proposal of Application Notice (24/04410/PAN) was submitted to the Highland Council on 09 October 2024, which provided a formal opportunity to comment on the consultation approach. The South Planning Applications Committee on the 19 November 2024 noted the Proposal of Application Notice but had no specific comments on the consultation approach. Additional comments from the committee are outlined in Table 3-3 further below.

Four in-person pre-application consultation (PAC) events were held. These were:

- 23 October 2024, Craigmonie Centre, Glen Urquhart High School, Drumnadrochit, 16:00-20:00
- 24 October 2024, Wildside Centre, Foyers, 15:00-19:00
- 7 November 2024, Glenmoriston Millenium Hall, Invermoriston, 10:00-14:00
- 8 November 2024, Balnain Hall, Balnain, 14:00-18:00

A virtual consultation room was also made available at glenearrach.consultation.ai and ran 22 October to 15 November 2024 to provide an opportunity to exhibit to a wider audience.

- In addition to the public, the Glenurquhart, Fort Augustus and Glenmoriston, and Stratherrick and Foyers community councils, local Councillors, MSPs and MPs were also invited to the events.
- Further information on the consultation including all early engagement events will be provided in the PAC Report which forms part of the Application. The next section provides a summary of the key topics raised at public consultation and how this advice was taken forward.

Key Feedback Received and Actions Taken

Table 3-1 sets out the key topics raised at both the early engagement, PAC events and feedback submitted online or received between the consultation period (22 October to 15 November 2024).

Table 3-1 Key Feedback Received at Community Engagement Events

Key Topic	Actions
Water level of Loch Ness and related biodiversity impacts. Impacts on commercial and recreational operators on Loch Ness.	The impacts of any changes to the water levels resulting from the Proposed Development and cumulatively will be assessed within the EIAR as part of the **Chapter 10: Water Environment**, **Chapter 11 Flood Risk and Water Resources**, **Chapter 9 Aquatic & Marine Ecology** and **Chapter 16 Socio-Economic, Recreation and Tourism** assessments. The water and ecology specialists are currently assessing the potential impacts of the scheme on Loch Ness. Details of these assessments and any required mitigation will be detailed in the Environmental Impact Assessment which will be submitted alongside the Application. As part of the Environmental Impact Assessment the cumulative impact of other schemes on Loch Ness water levels will be assessed.
Impacts on the environment and wildlife during construction and operation	Ecology specialists have provided advice that has informed the design of the scheme. Ecological assessments are currently being prepared as part of the EIAR, which will recommend mitigation measure to minimise and manage the impacts of the scheme. This will include the preparation of a Habitat Management Plan and outline Landscape and Ecological Management Plan. An outline Construction Environmental Management Plan will be submitted with the Application setting out measures to minimise and manage the construction impacts of the project.

Key Topic	Actions
Impacts on walking routes from construction works.	An Outline Access Management Plan (OAMP) will be prepared and submitted with the application package. The OAMP will provide a high-level summary of the potential impacts of the Proposed Development upon local routes/core paths/long distance routes etc. during both construction and operation. Where significant effects are considered likely, mitigation measures will be included to minimise any adverse impacts upon users of this space. Following the approval of the application a Finalised Access Management Plan will be prepared which will provide detail on the impacts and recommended mitigation across the Proposed Development Site at a more granular level.
Visual impact of the Proposed Development (including temporary construction structures) on residents, visitors and local landscape character (at Meall Fuar-Mhonaidh, Loch Ness and Foyers) during construction.	At the early engagement events feedback was received that the proposed location of construction compounds was too close to existing communities. The compounds have been relocated to the north west of the site to move to reduce the potential impacts on the local communities. The visual impact of the Development will be assessed within the EIAR as part of the **Chapter 6: Landscape and Visual** assessment. There is likely to be adverse visual impacts from the provision of temporary tracks, construction compounds and Temporary Workers Accommodation. These impacts will be mitigated through secondary mitigation measures which will be detailed in the EIAR.
Visual impact of the Proposed Development on residents, visitors and local landscape character (of Meall Fuar-Monaidh and Loch Ness) during operation.	The visual impact of the Proposed Development will be assessed within the EIAR as part of the **Chapter 6: Landscape and Visual** assessment, which will recommend mitigation measures to minimise and manage the impacts of the construction works and of permanent above ground infrastructure. This will include the preparation of a Landscape and Ecological Management Plan. The Proposed Development has been designed, as far as possible, to integrate into the surrounding landscape and views. Much of the infrastructure will be located underground with any above ground features designed and sited sensitively. Vegetation reinstatement and earthwork profiling will further blend the headpond and aboveground features into the existing landscape. The design of the Lower Control Works on the shore of Loch Ness is continuing to be developed with the aim of minimising its visual impact and to support its integration with the surrounding environment.
Impacts on local traffic and transport during construction.	The impact of the Proposed Development on local traffic and transport, particularly at Drumnadrochit where the entrance to the site will be located, will be assessed within the EIAR as part of the **Chapter 13: Access, Traffic & Transport** assessment. To minimise impacts, accommodation and services for workers will be provided on site to minimise the number of people travelling to and from the site. In addition, the Applicant is seeking to reuse as much material on site as possible to minimise waste requiring removal from the site. A Framework Construction Traffic Management Plan (CTMP) will be provided as part of the EIA and a binding final CTMP would subsequently be developed in consultation with relevant roads and planning authorities to manage construction traffic travelling to/from the site.
Benefits provided to the local community (e.g. Community Benefit Fund).	The applicant is committed to delivering community benefits and is actively engaging with stakeholders, including THC, to develop a tailored Community Benefit Package. Ongoing conversations about community benefits are taking place with workshops planned for early 2025.

Key Topic	Actions
Impact on local housing stock and services, during construction, due to an influx of workers.	A workers' accommodation compound with the facilities and amenities to support the workforce on site form part of the Proposed Development. The Applicant is seeking to maximise the socio-economic benefits of the scheme and will seek to attract local workers for both the construction and operational stages. However, given the scale of the construction works, it is likely that workers from outside the local area will also need to be recruited. The scheme will support education and training to support career opportunities in construction and renewable energy. Specific opportunities will be identified for both the construction and operational stages of the project.
Consideration of the impact of the transmission infrastructure required to connect the Development to the grid network.	SSEN is responsible for ensuring that the Development can connect into the electricity network once planning consent is received. The transmission infrastructure associated with the Development will therefore be designed and separately consented under Section 37 of the Electricity Act by SSEN. The impacts of transmission lines will, however, be assessed on a worst case basis as part of the cumulative assessment in the Environmental Impact Assessment.
Impact of noise generated during construction and operation on residents and guests staying in visitor accommodation.	The EIAR noise specialists have provided advice that has informed the design of the Proposed Development. The noise assessment is currently being prepared, which will recommend mitigation measures to minimise and manage the noise impacts of the construction works. These measures will be set out in an outline Construction Environmental Management Plan (CEMP). A Community Liaison Group is proposed which will provide opportunities for the local community to provide feedback on the construction works, including on noise impacts. Operational noise impacts have been considered in the positioning of above ground infrastructure and compounds to minimise, as far as practicable, the potential for impacts on noise sensitive properties. Operational noise will also be assessed as part of the Environmental Impact Assessment.
Private Water Supplies	The potential impact on private water supplies (PWS) was raised as a concern at the PAC events. The impacts of the Development on PWS will be considered within the EIAR as part of the **Chapter 10: Water Environment** assessment. Questionnaires to identify local PWS were issued to householders within the wider area.

The design continues to be reviewed following the pre-application consultation events in response to the feedback that was received.

3.5 Additional Stakeholder Consultations

Table 3-2 provides a list of the meetings, outside of the EIA Scoping process, which have been undertaken to date with statutory consultees:

Table 3-2 Meetings Undertaken

Date	Consultees in Attendance	Discussion
22/01/2024	Transport Scotland and BEAR	Introductory meeting to the Development and the Applicant. Transport Scotland and BEAR will be further consulted as the transport assessment progresses.
05/02/2024	NatureScot	Introductory meeting to the Development and the Applicant
15/03/2024	Forestry Land Scotland	Introductory meeting to the Development and the Applicant

Date	Consultees in Attendance	Discussion
06/06/2024, 14/08/2024, 12/09/2024, 21/10/2024, 16/12/2024	Ness District Salmon Fishery Board (NDSFB)	Discussions regarding proposed smolt tracking studies on Loch Ness.
19/09/2024	SEPA	Meeting to discuss the CAR licence application including the impoundment and abstraction licences.
24/10/2024	HES	Meeting to discuss and agree heritage viewpoints as well as potential impacts to heritage, in particular those from water levels.
04/11/2024	THC landscape officer	A meeting to discuss: • Representative viewpoints – including new locations added following scoping with reference to the updated ZTV and other locations requested in THC pre app response. • Design of the temporary and permanent infrastructure noting the comments raised in THC pre app response. • The requirement for construction visualisations. • Approach to mitigation design. • Sequential routes to consider the effects on, in both the main visual assessment and cumulative assessment, including the Loch nam Breac Dearga circular walk, Loch Ness 360 trail, Great Glen Way, Affric Kintail Way, A82 and B852.
04/11/2024	SEPA	Meeting to discuss the completed Phase 2 peatland survey and specific comments raised by SEPA regarding disturbance of peat due to fluctuating water levels.
10/09/2024	Transport Scotland, HIE, Caledonian Canal and various canal stakeholders	A workshop facilitated by HIE titled 'Integrated Transport Strategy for Pumped Storage Hydro Developments in the Great Glen'. The meeting focused on managing transport impacts, utilising the canal for PSH schemes and legacy outcomes from potential upgrades to the canal.
06/11/2024	THC Access and Planning Officers	Meeting regarding access management at Glen Earrach.
12/11/2024	NatureScot	Meeting with NatureScot to discuss changes made to the design of the Development and the approach to the terrestrial and aquatic ecology assessments.
12/12/2024	THC Planning Officer	Meeting to provide THC with an update on the feedback from the PAC events and consultee feedback, including discussion with NatureScot and NDSFB.

In addition to meetings with stakeholders, feedback was received from Councillors via the South Planning Application Committee on 19 November 2024 as part of the committee discussion on the the Proposal of Application Notice.

Table 3-3 Key Feedback Received from the South Planning Application Committee

Key Topic	Actions
Cllr David Fraser noted that the S36 applications/EIA needs to consider the cumulative impacts of Foyers, Red John, Loch Kemp, which are at different stages in the planning process/an existing development. Impacts on the Ness Weir also need to be taken account of.	The cumulative impacts of Foyers PSH (existing), Loch na Cathrach PSH (consented) and Loch Kemp PSH (submitted S36 application) will be considered within the EIAR. The impacts associated with the Ness Weir are currently being considered and will be detailed in the EIAR.

Key Topic	Actions
Cllr Ken Gowans requested more information on community benefits. David Mudie (THC Planning Manager) noted that community benefits should not be reported on by the Council in relation to the material planning merits of a scheme.	The Applicant is engaging with THC in relation to Council's Social Value Charter. It is recognised that the any commitments in relation to the charter are not a material planning consideration. An update on discussions on the Social Value Charter will be included in the EIAR for information purposes only.

No significant changes have been made to the scope of the EIA or to the Development based on the advice received from these discussions. These discussions will largely influence the provision of additional mitigation measures proposed as part of the EIA.

4. Next Steps

4.1 Proposed Application

The Applicant is proposing to submit the Application for the Proposed Development in March 2025.

4.2 Publication

In accordance with the Electricity (Applications for Consent) Regulations 1990, and Regulation 14(3) of the EIA Regulations, notices will be published at the time of submission of the application. The application will be advertised on the project website and in the Edinburgh Gazette, Inverness Courier and relevant local newspapers (to be agreed in consultation with ECU as part of gate check stage 2).

The full EIAR will be made available for public viewing at the following locations:

- Inverness Council, Glenurquhart Rd, Inverness IV3 5NX
- Wildside Centre, Foyers, IV2 6UN
- Glenmoriston Millenium Hall, Invermoriston, Inverness, IV63 7YA
- Balnain Hall, Balnain, Drumnadrochit, IV63 6UG

In addition, the entire application will be made available online on the project website (glenearrach.energy) and the Energy Consents Unit application portal (energyconsents.scot)

Digital USB pen copies of the EIAR will also be offered to the following community councils:

- Glenurquhart Community Council;
- Stratherrick and Foyers Community Council; and
- Fort Augustus and Glenmoriston.

Digital USB pen copies of the EIAR will also be offered to the following councillors from Aird and Loch Ness:

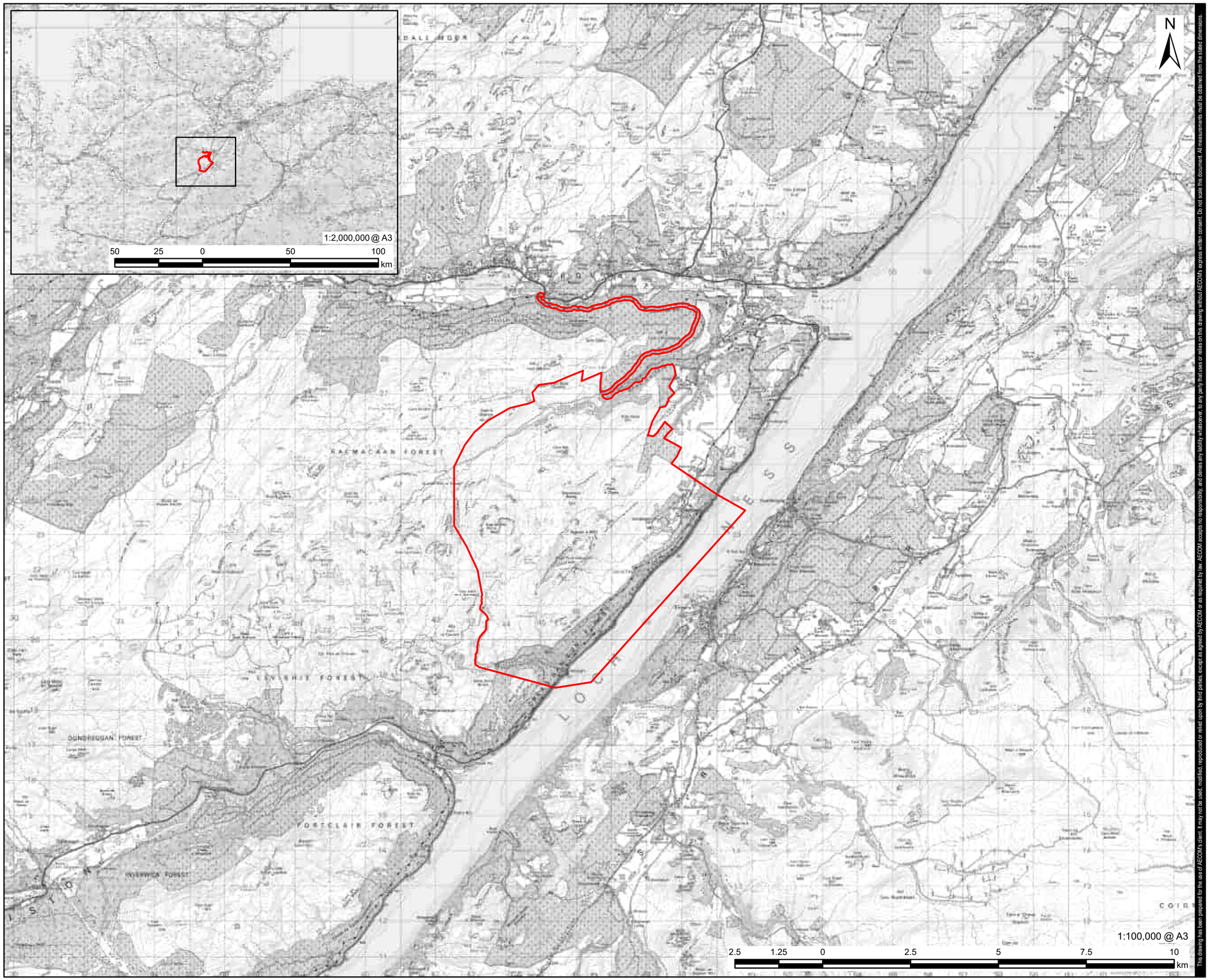
- Chris Ballance (Scottish Green Party);
- Helen Crawford (Scottish Conservative and Unionist);
- David Fraser (Highland Independent); and
- Emma Knox (Scottish National Party).

4.3 EIAR consultation

The following bodies will be consulted on the EIAR:

- The Highland Council
- Historic Environment Scotland
- NatureScot
- SEPA
- BEAR Scotland
- Beastie Boats
- Buglife
- BT
- Caley Cruisers
- Civil Aviation Authority
- Communities Inshore Fisheries Alliance
- Crown Estate Scotland
- Cruise Loch Ness
- Defence Infrastructure Organisation
- Fisheries Management Scotland
- Fort Augustus and Glenmoriston Community Council
- Glenurquhart Community Council
- Health and Safety Executive
- Highland and Islands Airports Limited ("HIAL")
- John Muir Trust
- Joint Radio Company ("JRC")
- Loch Ness by Jacobite
- Marine Harvest Ltd – MOWI
- Mountaineering Scotland
- National Grid
- NATS Safeguarding
- Ness and Beauly Fisheries Trust
- Ness District Salmon Fisheries Board
- Office for Nuclear Regulation
- Royal Yachting Association ("RYA")
- RSPB Scotland
- Scottish & Southern Electricity Networks (SSE)
- Scottish Canals
- Scottish Canals 2 - Caledonian Canal
- Scottish Canoe Association
- Scottish Fishermen's Federation
- Scottish Fishermen's Organisation
- Scottish Gas Networks (SGN)
- Scottish Water
- Scottish Wild Land Group
- Scottish Wildlife Trust
- ScotWays
- Stratherrick and Foyers Community Council
- The Loch Ness Centre
- Visit Scotland
- Woodland Trust

Appendix A Figures



Revision: 0 Drawn: FM Checked: AR Approved: AI Date: 2024-11-12

Filename: \\na.aecomnet.com\lfs\EMEA\Edinburgh-UKEDI4\DCS\Projects\EGE\60684593_BalmaPSH\900_CAD_GIS\950_GIS\02_Maps\Glen_Earrach_Figures\Glen_Earrach_Gate_Check_Report.aprx

AECOM

PROJECT

Glen Earrach Pumped Storage Hydro

CLIENT

Glen Earrach Energy Ltd.

CONSULTANT

AECOM Limited
177 Bothwell St
Glasgow
G2 7ER
www.aecom.com

LEGEND

Site Boundary

NOTES

ISSUE PURPOSE

DRAFT

PROJECT NUMBER

60719875

FIGURE TITLE

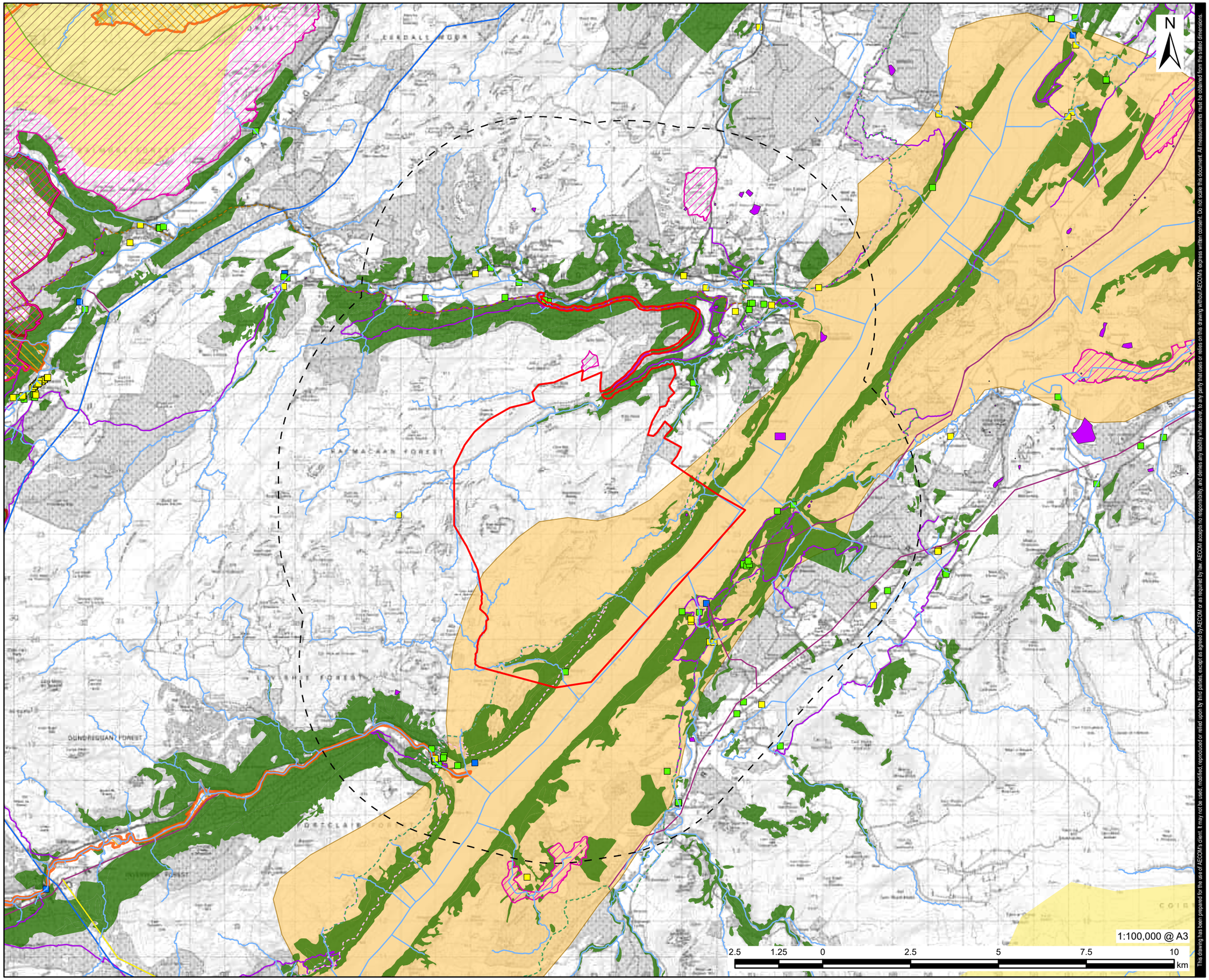
Site Location Plan

FIGURE NUMBER

Figure 1

Revision: 0 Drawn: FM Checked: AR Approved: AI Date: 2024-11-12

Filename: \\na.aecomnet.com\ifs\EMEA\Edinburgh-UKEDI4\DCS\Projects\EGE\60684593_BalmaPSH\900_CAD_GIS\950_GIS\02_Maps\Glen_Earrach_Figures\Glen_Earrach_Gate_Check_Report.aprx



AECOM

PROJECT

Glen Earrach Pumped Storage Hydro

CLIENT

Glen Earrach Energy Ltd.

CONSULTANT

AECOM Limited
177 Bothwell St
Glasgow
G2 7ER
www.aecom.com

LEGEND

- Site Boundary
- 5km Buffer
- Watercourses

Power Lines

- Beauly-Denny Power Line
- Foyers
- Scottish-Hydro Fort Augustus
- Other Power Lines

Heritage

- A
- B
- C
- Conservation Areas
- Scheduled Monuments

Environmental Constraints

- Loch Ness 360 Trail
- Great Glen Way
- Affrick Kintail Way
- Core Paths
- National Scenic Area
- Special Proection Area - (SPA)
- Ramsar
- Special Area of Conservation (SAC)
- National Nature Reserve (NNR)
- Wild Land Areas
- Ancient Woodland
- Special Landscape Areas

NOTES

ISSUE PURPOSE

DRAFT

PROJECT NUMBER

60719875

FIGURE TITLE

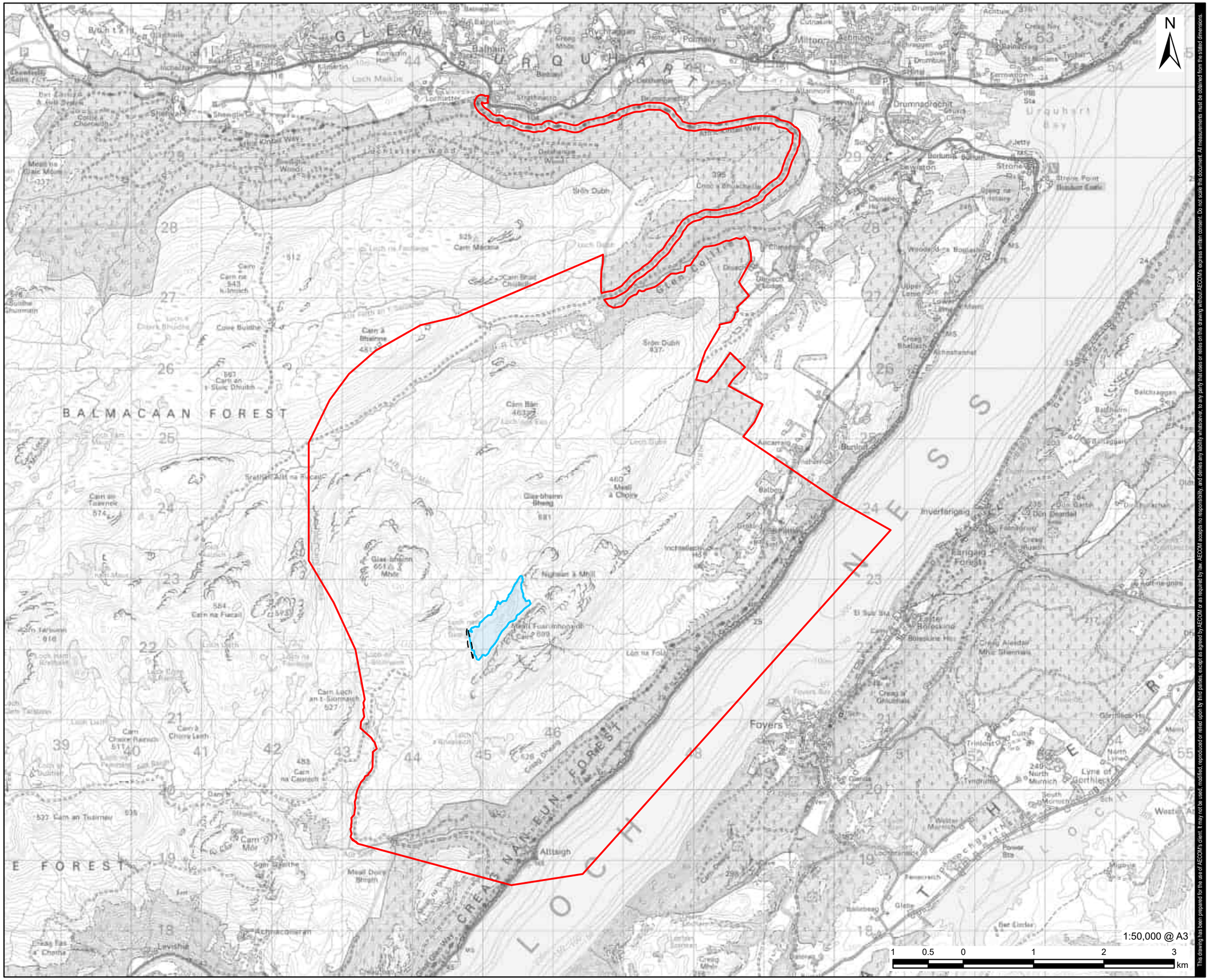
Environmental Constraints

FIGURE NUMBER

Figure 2

Filename: \\na.aecomnet.com\ifs\EMEA\Edinburgh-UKED14\DCS\Projects\EGE\60684593_BalmaPSH\900_CAD_GIS\950_GIS\02_Maps\Glen_Earrach_Figures\Glen_Earrach_Gate_Check_Report.aprx

Revision: 1 Drawn: MH Checked: AM Approved: AC Date: 2024-11-22



AECOM

PROJECT

Glen Earrach Pumped Storage Hydro

CLIENT

Glen Earrach Energy Ltd.

CONSULTANT

AECOM Limited
177 Bothwell St
Glasgow
G2 7ER
www.aecom.com

LEGEND

- Site Boundary
- Top Water Level
- Embankment

NOTES

ISSUE PURPOSE

DRAFT

PROJECT NUMBER

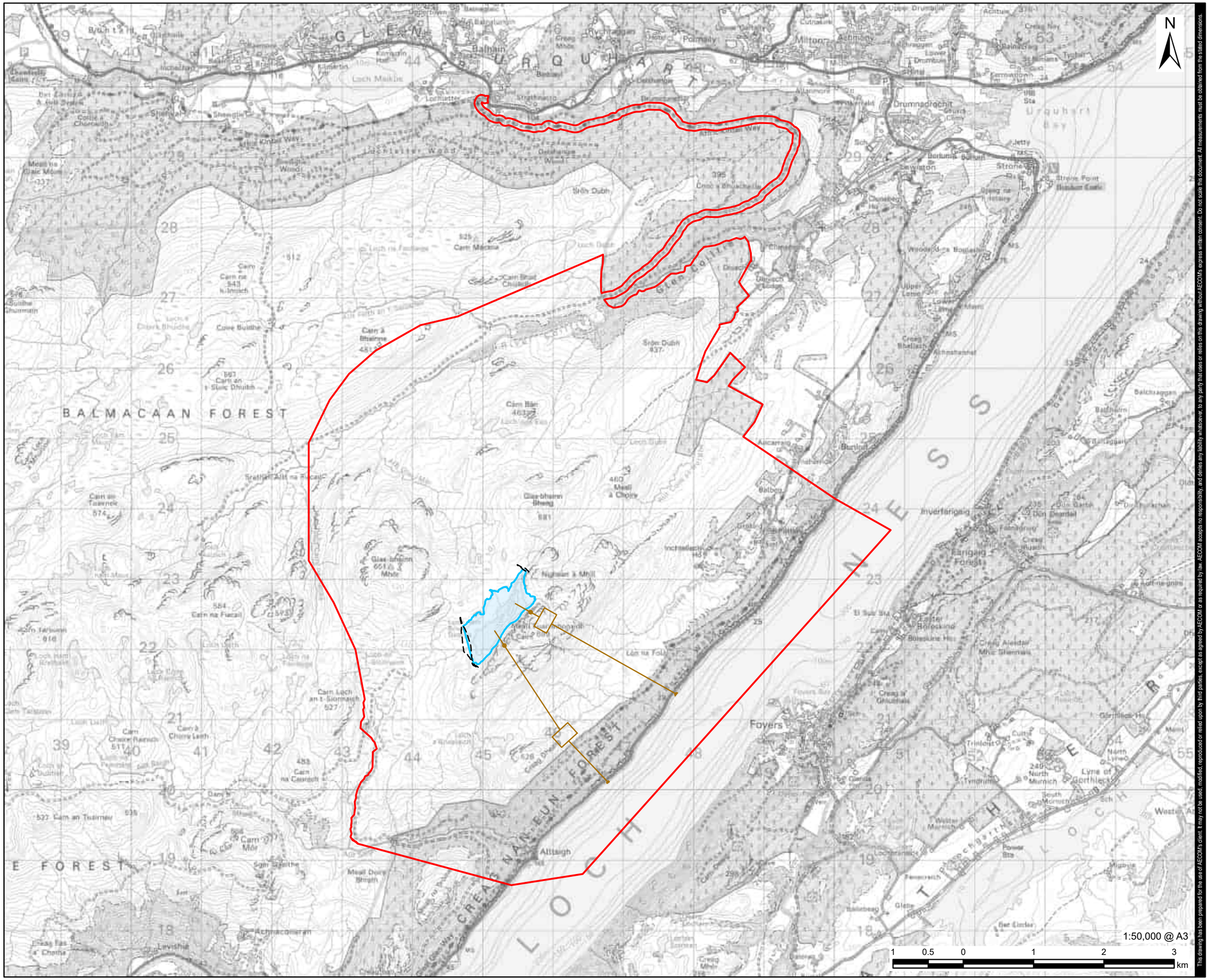
60719875

FIGURE TITLE

Design Evolution: Design I Pre-Feasibility

FIGURE NUMBER

Figure 3



AECOM

PROJECT

Glen Earrach Pumped Storage Hydro

CLIENT

Glen Earrach Energy Ltd.

CONSULTANT

AECOM Limited
177 Bothwell St
Glasgow
G2 7ER
www.aecom.com

LEGEND

- Site Boundary
- Top Water Level
- Embankment
- Hydraulic Layout

NOTES

ISSUE PURPOSE

DRAFT

PROJECT NUMBER

60719875

FIGURE TITLE

Design Evolution: Design II Feasibility

FIGURE NUMBER

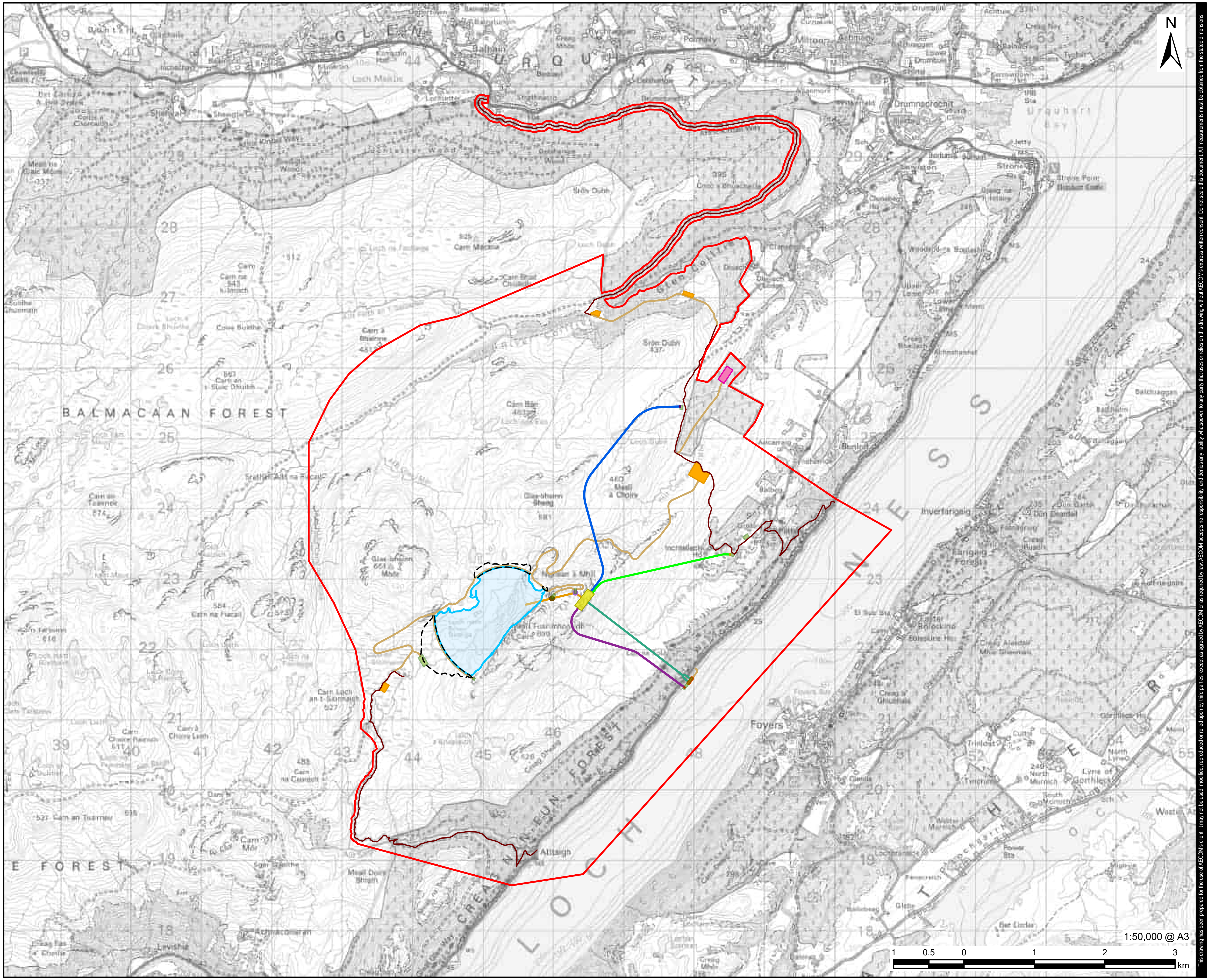
Figure 4

Revision: 1 Drawn: MH Checked: AM Approved: AC Date: 2024-11-22

Filename: \\na.aecomnet.com\ifs\EMEA\Edinburgh-UKED14\DCS\Projects\EGE\60684593_BalnaPSH\900_CAD_GIS\950_GIS\02_Maps\Glen_Earrach_Figures\Glen_Earrach_Gate_Check_Report.aprx

Revision: 1 Drawn: MH Checked: AM Approved: AC Date: 2024-11-22

Filename: \\na.aecomnet.com\lfs\EMEA\Edinburgh-UKEDI4\DCS\Projects\EGE\60684593_BalmaPSH\900_CAD_GIS\950_GIS\02_Maps\Glen_Earrach_Figures\Glen_Earrach_Gate_Check_Report\Glen_Earrach_Gate_Check_Report.aprx



AECOM

PROJECT

Glen Earrach Pumped Storage Hydro

CLIENT

Glen Earrach Energy Ltd.

CONSULTANT

AECOM Limited
177 Bothwell St
Glasgow
G2 7ER
www.aecom.com

LEGEND

- Site Boundary

Above Ground Infrastructure

- Headpond
- Embankment
- Tunnel Portals (TP03)
- Tunnel Portals (TP02)
- Tunnel Portals (TP01)
- Temporary Compound
- Switching Station
- Permanent Compound
- Existing Access Track
- New Access Track

Below Ground Infrastructure

- Tailpond Inlet / Outlet
- Power Cavern
- Gate Shaft
- Surge Shaft
- Access Tunnel
- Waterways Tailrace
- Waterways Headrace
- Power Cable Tunnel
- Emergency Egress Tunnel

NOTES

ISSUE PURPOSE

DRAFT

PROJECT NUMBER

60719875

FIGURE TITLE

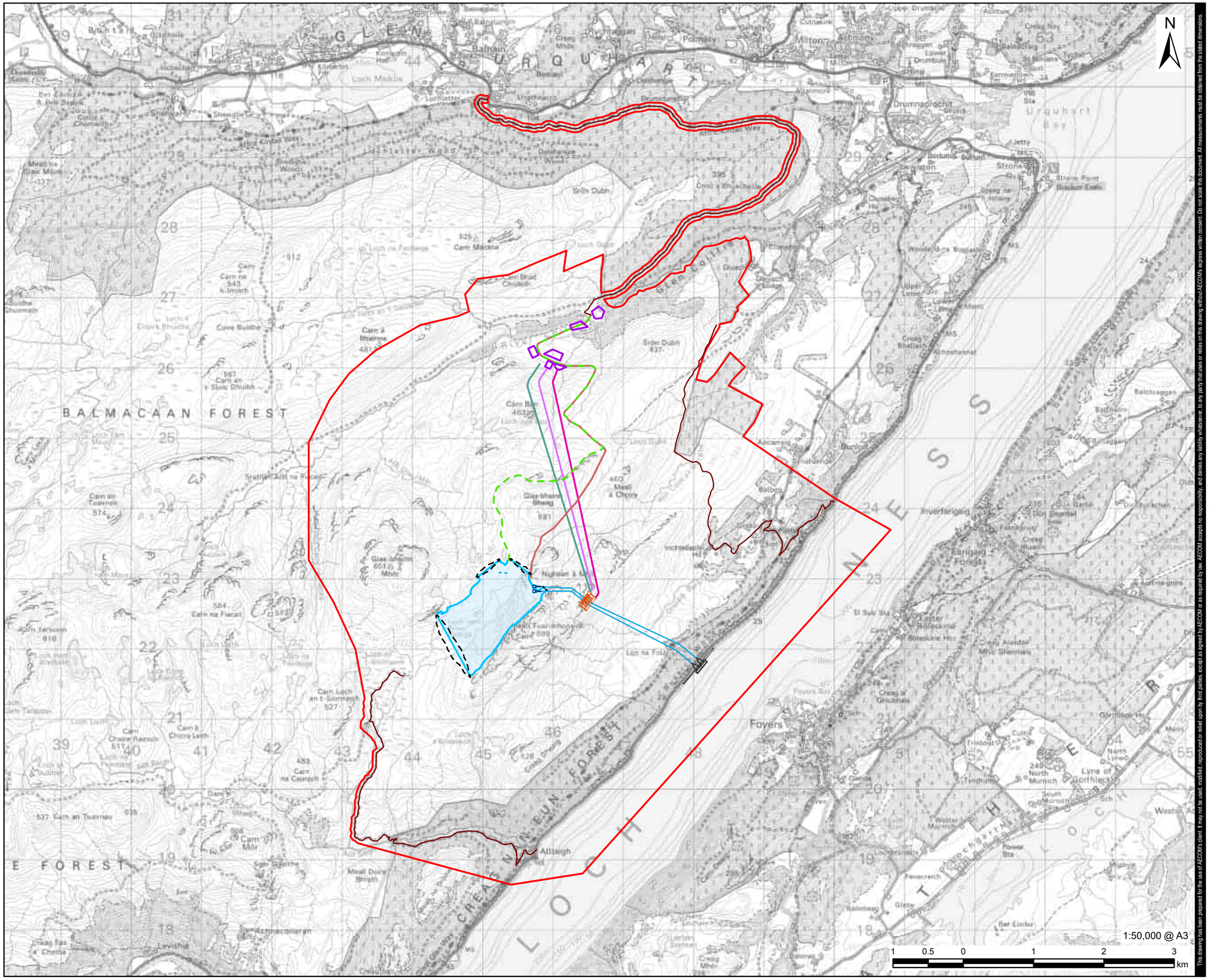
Design Evolution: Design III Scoping

FIGURE NUMBER

Figure 5

Revision: 0 Drawn: MH Checked: AM Approved: AC Date: 2024-11-21

Filename: \\na.aecomnet.com\ils\EMEA\Edinburgh-UKED14\DOCS\Projects\EGE\60684593_BalmaPSH\900_CAD_GIS\950_GIS\02_Maps\Glen_Earrach_Figures\Glen_Earrach_Gate_Check_Report\Glen_Earrach_Gate_Check_Report.aprx



This drawing has been prepared for the use of AECOM's client. It may not be used, modified, reproduced or relied upon by third parties, except as agreed by AECOM or as required by law. AECOM accepts no responsibility, and denies any liability whatsoever, to any party that uses or relies on this drawing without AECOM's express written consent. Do not scale this document. All measurements must be obtained from the stated dimensions.

AECOM

PROJECT

Glen Earrach Pumped Storage Hydro

CLIENT

Glen Earrach Energy Ltd.

CONSULTANT

AECOM Limited
177 Bothwell St
Glasgow
G2 7ER
www.aecom.com

LEGEND

- Site Boundary

Above Ground Infrastructure

- Headpond
- Headpond Dams
- Compounds
- Access Track - Option 1
- Access Track - Option 2
- Existing Access Track

Below Ground Infrastructure

- Main Access Tunnel
- Power Vent Tunnel 1
- Power Vent Tunnel 2
- Waterways
- Power Cavern
- Lower Control Works
- Upper Control Works

NOTES

ISSUE PURPOSE

DRAFT

PROJECT NUMBER

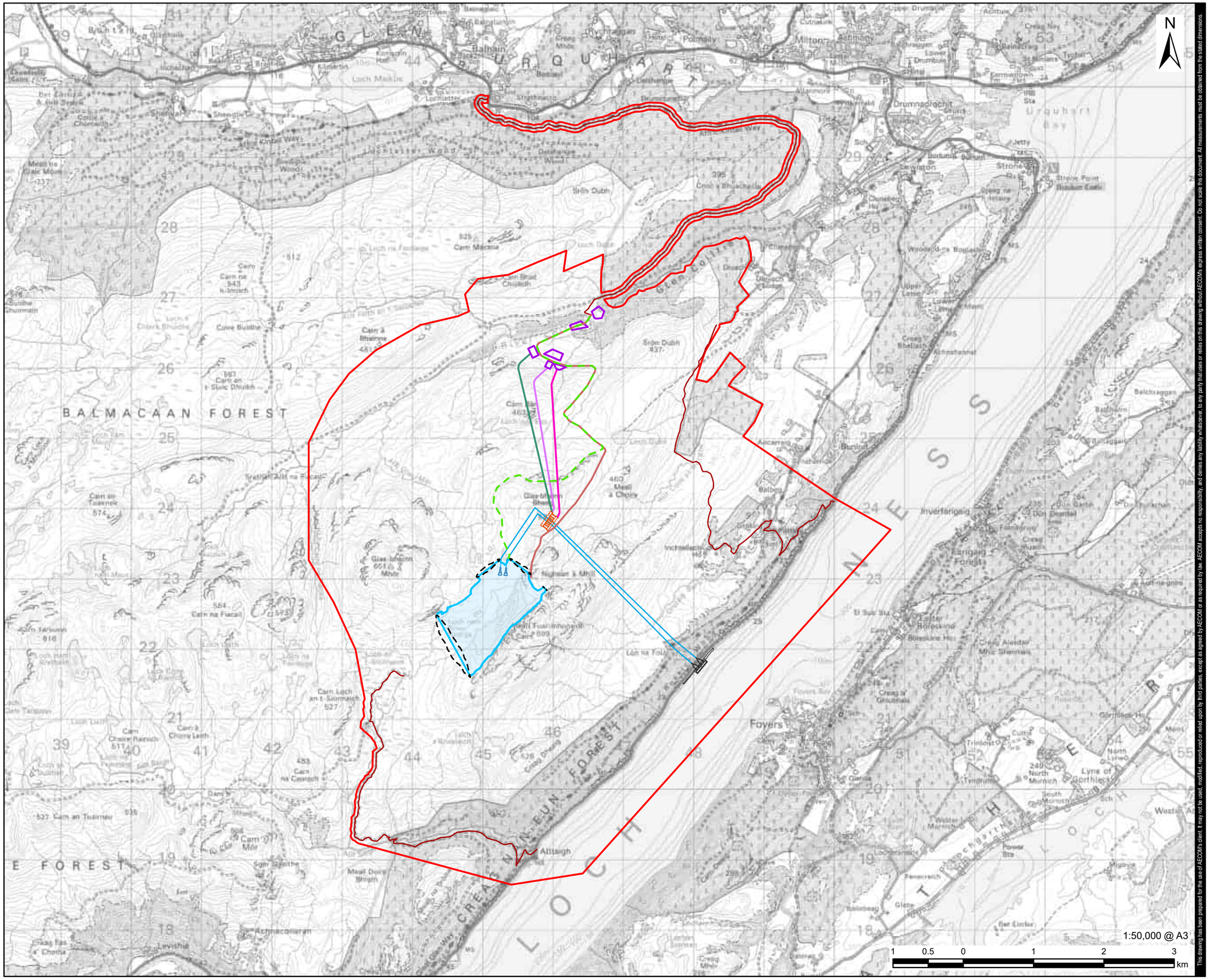
60719875

FIGURE TITLE

Design Evolution: Design IV - Option A Post Scoping

FIGURE NUMBER

Figure 6



AECOM

PROJECT

Glen Earrach Pumped Storage Hydro

CLIENT

Glen Earrach Energy Ltd.

CONSULTANT

AECOM Limited
177 Bothwell St
Glasgow
G2 7ER
www.aecom.com

LEGEND

- Site Boundary

Above Ground Infrastructure

- Headpond
- Headpond Dams
- Compounds
- Access Track - Option 1
- Access Track - Option 2
- Existing Access Track

Below Ground Infrastructure

- Main Access Tunnel
- Power Vent Tunnel 1
- Power Vent Tunnel 2
- Waterways
- Power Cavern
- Lower Control Works
- Upper Control Works

NOTES

ISSUE PURPOSE

DRAFT

PROJECT NUMBER

60719875

FIGURE TITLE

Design Evolution: Design IV - Option B Post Scoping

FIGURE NUMBER

Figure 7

Revision: 0 Drawn: MH Checked: AM Approved: AC Date: 2024-11-21

Filename: \\na.aecomnet.com\ifs\EMEA\Edinburgh-UKED14\DOCS\Projects\EGE\606884593_BalmaPSH\900_CAD_GIS\950_GIS\02_Maps\Glen_Earrach_Figures\Glen_Earrach_Gate_Check_Report\Glen_Earrach_Gate_Check_Report.aprx

Appendix B Summary of Consultation and Action Taken

Table B.1 Pre-Application Advice Summary of Key Issues and Response with Action Taken

Pre-Application Advice Summary	Actions Taken
The Highland Council	
Confirms that THC are supportive of renewable energy developments where it can be appropriately sited and designed to not be significantly detrimental overall. This aligns with NPF4's in-principal support for renewable energy development. The pre-app notes that the site is challenging with a number of concerns raised in the pre-app response.	The in-principle planning policy support for renewable energy development, including pumped storage hydro, is noted.
NatureScot has raised concerns regarding the potential impacts of the proposed development on the qualifying interests of River Moriston SAC, Urquhart Bay Woods SAC and Moray Firth SAC. NatureScot note if the proposal significantly affects the qualities of these SACs and the mitigation proposed to reduce impacts are deemed insufficient, this may lead to a NatureScot objection.	A detailed assessment of the potential impacts and effects of the Proposed Development on Urquhart Bay Wood SAC will be provided in the Statement to Inform Habitats Regulations Appraisal and within **Chapter 7 Terrestrial Ecology** of the EIAR. A detailed assessment of the potential impacts and effects of the Proposed Development on River Moriston SAC and the Moray Firth SAC is provided in the Statement to Inform Habitats Regulations Appraisal and within **Chapter 9 Aquatic & Marine Ecology)** of the EIAR.
THC note landscape and visual impacts of the Proposed Development on the Loch Ness and Duntelchaig Special Landscape Area both in isolation and any cumulative schemes. The proposal will require to be accompanied by suitable visualisations, for when the scheme is complete, and the landscaping matured but also for interim periods throughout construction and establishment of the landscaping to consider the worst-case scenario. A robust and well thought out mitigation strategy will also be required, with careful consideration given to design, exposed materials, soft landscape mitigation and ongoing maintenance of the appearance of structures.	The landscape and visual team have been and will continue to be involved in the location, siting and design of the Development to seek to minimise effects. The LVIA will set out the anticipated effects on landscape and visual receptors arising from the Development and whether such effects are considered to be significant or not. Citations for relevant SLAs will be included within the landscape baseline to inform the assessment of effects. This will include the Loch Ness and Duntelchaig SLA. The LVIA will conform to relevant guidance, including Guidelines on Landscape and Visual Impact Assessment (GLVIA3) (Landscape Institute, August 2024) and Technical Guidance Note (TGN) 06/19 'Visual Representation of development proposals' (Landscape Institute, September 2019). Visualisations will be provided to Highland Council Standards and NatureScot guidance. The Landscape and Visual Impact Assessment (LVIA) will assess the impact of all parts of the Scheme set out within Chapter 2, Project and Site Description on landscape and visual receptors. The Applicant will refer to the interactive Wind Turbine map where relevant to inform the LVIA. An assessment of cumulative effects will be included within Chapter 6, Landscape and Visual.
THC request clear information be provided on the phasing of the works; a series of plans showing exploratory works, enabling works and final construction works for the proposed development is required.	These will be detailed in the EIAR.
THC note that the Proposed Development will result in the disturbance of carbon rich soils and peatland. A Peat Management Plan is required which should confirm the volume of peat disturbed by the development (including a calculation of peatland that will be inundated) and how it will be used in successful restoration to form a functioning peatland system capable of achieving carbon sequestration.	An Outline Peat Management Plan will be submitted with the application as an appendix to **Chapter 15 Geology and Ground Conditions** with input from the Landscape and Ecology team.

Pre-Application Advice Summary	Actions Taken
The Proposed Development will need to deliver biodiversity enhancement in compliance with Policy 3 – Biodiversity of NPF4. A Biodiversity Enhancement and Management Plan will also be required.	The biodiversity enhancement will be included in the Outline Landscape Environment Mitigation Plan (oLEMP) or similar. The BNG assessment will be carried out using SSE Renewable's Toolkit for BNG.
A full assessment of the ecology at the site is required to determine if there are ecological/environmental constraints associated with the Proposed Development.	Baseline information in the EIA will include results of detailed habitat, bird and protected/notable species surveys, and will assess impacts on all these including bog, and will provide mitigation including habitat enhancement proposals.
Transport Planning note that the A833 road north of Cannich is not suitable for accommodating high numbers of large commercial goods vehicles without extensive improvements. A Transport Statement/Assessment is required.	The feedback on the A833 road north of Cannich is noted. A Transport Assessment will be submitted with the Application.
An Outdoor Access Plan or Access Management Plan is required to address the proposed development's potential impact on public access during preparatory works, construction works and once the scheme is operational. All the local public rights of way shall be included for the baseline study.	An Outline Access Management Plan (OAMP) will be prepared and submitted as part of the application package. This OAMP will provide a high-level summary of the potential impacts of the Proposed Development upon local routes/core paths/long distance routes etc. during both construction and operation. Where significant effects are considered likely, mitigation measures will be included to minimise any adverse impacts upon users of this space. Following the approval of the application a Finalised Access Management Plan will be prepared which will provide detail on the impacts and recommended mitigation across the Proposed Development Site at a more granular level. All the local public rights of way will be included in the baseline study.
A Flood Risk Assessment should be submitted to demonstrate that the development will remain operational during flood events and will not increase flood risk elsewhere. A Drainage Impact Assessment is required. Impacts upon Ground Water Dependant Terrestrial Ecosystems will also need to be considered. The proposed development will require a CAR application which should be aligned with the Section 36 consent.	A Flood Risk Assessment will be submitted as an appendix to **Chapter 11 Flood Risk & Water Resources**
Historic Environment Scotland noted a photomontage visualisation is required to demonstrate the potential impacts on scheduled monuments in the wider surrounding area and shore of Loch Ness.	Photomontage visualisations will be produced to accompany the cultural heritage assessment in **Chapter 12 Cultural Heritage** as appropriate.
THC request details on mitigation measures regarding private water supplies e.g. excavations outwith existing groundwater abstraction and risk assessment.	The mitigation measures regarding private water supplies will be detailed within **Chapter 10 Water** Environment of the EIAR.
Pollution and amenity impacts will need to be addressed e.g. noise impact assessment, dust plan and spoil management plan.	A range of pollution and amenity management plans will be detailed in the outline CEMP
Details of external lighting with night-time visualisations provided. Should there be a requirement for external lighting of the proposed development the effects from lighting should be fully considered given the predicted visibility of the proposal from the surrounding area and the high sensitivity of to the effects of lighting. Night-time visualisations and the cumulative effects of lighting may also be required in support of a future application.	The details of external lighting if required will be provided within Chapter 2 Project Description of the EIAR. **Chapter 6 Landscape and Visual**, **Chapter 7 Terrestrial Ecology** and **Chapter 8 Ornithology** of the EIAR will consider the impacts on receptors should external lighting be proposed. Night-time visualisations will be provided as agreed with stakeholders.
Location, dimensions and restoration proposals for borrow pits.	The details of the borrow pits (including their restoration) will be provided within **Chapter 2 Project and Site Description**.

Pre-Application Advice Summary	Actions Taken
Details of accommodation for construction workers.	Details of the Temporary Workers Accommodation will be included within Chapter 2 Project and Site Description of the EIAR.

Table B.2 Scoping Consultation Summary of Key Issues and Response with Action Taken

Scoping Responses	Actions Taken
Energy Consents Unit	
Scottish Ministers are satisfied with the scope of the EIA set out by the scoping report. In addition to the consultation responses, Ministers provided comments with regarding the following:	The Applicant notes that the ECU is satisfied with the scope of the EIA as detailed in the Scoping Report.
• Scottish ministers request that the Applicant contact Scottish Water and makes further enquiries to confirm whether there are any water assets which may be affected by the development • Scottish Ministers request that the Applicant investigates the presence of private water supplies and outlines the details to be provided within the EIA Report. • provides guidelines on how fish populations should be considered during the EIA process. • should identify any areas of Special Areas of Conservation where fish are a qualifying feature and proposed felling operations particularly in acid sensitive areas. • Scottish Ministers consider that where there is a demonstrable requirement for peat landslide hazard and risk assessment (PLHRA), the assessment should be undertaken as part of the EIA process to provide Ministers with a clear understanding of whether the risks are acceptable and capable of being controlled by mitigation measures. The Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments (Second Edition), published at http://www.gov.scot/Publications/2017/04/8868, should be followed in the preparation of the EIA report, which should contain such an assessment and details of mitigation measures. Where a PLHRA is not required clear justification for not carrying out such a risk assessment is required. • The scoping report identified that a landscape and visual impact assessment will be undertaken for the proposed development to identify any potential landscape and visual effects. • The noise assessment should be carried out in line with relevant legislation and standards as detailed in Chapter 14 of the EIA Scoping Report. • Scottish Ministers are aware that further engagement is required between parties regarding the refinement of the design of the proposed development regarding, among other things, surveys, management plans, peat, radio links, finalisation of viewpoints, cultural heritage, cumulative assessments, and request that they are kept informed of relevant discussions.	The Applicant intends to engage further with Scottish Water to ensure that any concerns they may have will be addressed. **Chapter 10 Water Environment** and **Chapter 11 Flood Risk & Water Resources** of the EIAR will provide an assessment of the water level and flow changes and potential impacts on the water environment and resources. An assessment of the impact of the Proposed Development on Private Water Supplies will be included in **Chapter 10 Water Environment** of the EIAR. The assessment of impact on fish populations and related Special Areas of Conservation will be set out in **Chapter 9 Aquatic & Marine Ecology** of the EIAR. A Peat Landslide Hazard and Risk Assessment will be provided as an appendix of **Chapter 15 Geology and Ground Conditions** of the EIAR. **Chapter 6 Landscape and Visual** of the EIAR provides an assessment of landscape and visual effects. **Chapter 14 Noise and Vibration** of the EIAR will provide an assessment of noise impacts in line with relevant legislation and standards as set out in the EIA Scoping Report. The Applicant continues to engage with the relevant consultees as identified in the Scoping Opinion and this Gate Check Report.
BT	
BT requested further details on the exact heights and grid references of any structures to determine the proximity to a BT radio link. BT attached a map in relation to this however this was not available to display. It is noted that BTs stance will be provided once BT receive this information.	No map showing the location of the asset provided from the ECU. BT will be engaged directly to ensure that no impact will be made on the BT Radio Link identified in the response.
Buglife	
Buglife note that the Development could result in significant adverse effects on ecological features and requests that adequate surveying is undertaken of invertebrate communities - further methodology is detailed in the body of the response. Buglife are concerned that further surveying of invertebrates has been scoped out of the assessment and requests a worst-case scenario of a maximum operational drawdown of over 1.0m must be considered.	Acknowledged that the Proposed Development has potential for significant ecological effects. However, regarding terrestrial invertebrates, habitat impact will primarily be on blanket bog and wet heath. The extent of impact on these habitats will be minor compared to their vast extent in the wider estate. Lochans with sphagnum-rich parts/edges that are potentially viable for *Somatochlora* dragonfly species have been noted in the vicinity of Loch nan Oighreagan, and a *Somatochlora* species was observed here; however, the lochans here are expected to be retained intact and unaffected.

The body of the response identifies taxa known to be present in Loch Ness. The response goes on to state that using 'River Invertebrates WHPT UKTAG Method Statement', as identified in the scoping, to survey lochs is not appropriate.	Impacts on PAWS are expected to be none to very minimal, and whilst a thin band of ancient semi-natural woodland beside Loch Ness would be affected, the extent of impact would be extremely small compared to the extents of this habitat around Loch Ness. As such, there are not likely to be any significant impacts on terrestrial invertebrates. The cumulative drawdown of PSH schemes is being assessed through modelling, as described in Section 3.2 of this Report, these results will inform the assessment of impacts on aquatic receptors such as macroinvertebrates. Macroinvertebrate sampling of Loch Ness and Loch nam Breac Dearga is following the procedure outlined in the 'WFD-UKTAG Lake Assessment Methods Benthic Invertebrate Fauna' documentation; please note that both Spring and Autumn samples are being taken rather than just Spring as outlined in the above methodology to account for temporal variability in the invertebrate assemblage. The reference to all water features being assessed by using 'River Invertebrates WHPT UKTAG Method Statement' is incorrect within the Scoping Report and will be updated accordingly. For clarity, the 'River Invertebrates WHPT UKTAG Method Statement' sampling procedure is only being used for rivers and streams. Macroinvertebrate surveys have been completed according to relevant best practice methods and informed by the consultation response from BugLife. The project ecologists will engage with BugLife to provide an update on the survey and assessment work that will inform **Chapter 7 Terrestrial Ecology and Chapter 9 Aquatic & Marine Ecology** of the EIAR.
Caley Cruisers Ltd	
Caley Cruisers note concern relating to the potential cumulative impact of proposed PSH schemes on Loch Ness on operability of the canal, its moorings, lochs and overall navigability. In particular, they have concerns about the water level needed for access into Urquhart Bay Harbour and the exposed steel work (without fendering) when the water levels drop lower than 'normal'.	The effects on water levels will be considered in **Chapter 11 Flood Risk & Water Resources** in the EIAR.
Crown Estates Scotland	
Crown Estates confirm that none of their assets with be affected by the Proposed Development.	No further action required.
Glen Urquhart Community Council	
Description of the Development The Community Council have requested a description of the proposed Development be provided as part of the EIAR as well as a description of the project construction phases; material management plan, cumulative impact assessment, identification of risk of accidents, particularly re substances or technologies, identification of alternatives and assessment of potential environmental impacts.	Standard methodology would be delivered. These are described within **Chapter 2 Project and Site Description** of the EIAR will contain all the plans with all components of the Development. The project description is split into construction, operation and decommissioning as these best typify any environmental impacts associated with the development - all mobilisation activities are included within the construction and decommissioning phases to help focus the assessment of environmental impacts. Due to the volume of material anticipated to be required for the construction of various components, a Materials Management Appraisal (MMA) will be undertaken as part of the EIA process and updated prior to construction, to ensure that the material that is generated from construction is classified and reused as far as practically possible. A cumulative impact assessment is included within the EIAR. The risk of major accidents is covered within **Chapter 11 Flood Risk and Water Resources** of the EIAR. An assessment of the expected emissions and residues is covered throughout the EIAR. Alternatives are described within **Chapter 3 Evolution of Design and Alternatives** of the EIAR.

Landscape and Visual	
The EIAR should consider both the landscape and the visual impact of the development. This should include the expected impact of borrow pits, ponds, embankments, tracks, cable routes, construction/mobilization staging areas and infrastructure connections.	The Landscape and Visual Impact Assessment (LVIA) will assess the impact of the Proposed Development as set out within **Chapter 2 Project and Site Description** on landscape and visual receptors.
Visualizations to be provided in form of virtual tour over study area – rather than flat photo montages from representative viewpoints. Visualisations to be provided for all phases of development.	Visualisations will be prepared for year 1 and year 15 of operation to demonstrate the change when landscape mitigation is considered to have matured at year 15. This is standard practice within LVIA and relates directly the assessment of effects.
Visual Impact assessment to outline considered and potential mitigation measures noted during design.	The embedded mitigation measures will be set out within **Chapter 6 Landscape and Visual** and will be used to inform an assessment of effects on both landscape and visual receptors.
Ecology, Terrestrial and Aquatic, and Ornithology.	
There should be full surveys completed of all habitats, particularly rare and threatened habitats and include upper and lower plants, breeding birds, including migrating birds, and animals, including mammals, reptiles and amphibians. It should be established which species are present on site and their location before any application is submitted.	Detailed habitat survey including National Vegetation Classification (NVC) survey, and aquatic surveys, will be detailed in the EIA.
Habitat enhancement and mitigation measures should be detailed along with any priority species within the Highland Nature Biodiversity Action Plan.	Habitat enhancement and mitigation measures are being developed, with cognisance of both protected and priority species including BAP species. An HRA will be prepared and submitted as part of the submission.
Habitat assessment to confirm Habitats Regulation Appraisal completed as required.	
Water Environment, Flood Risk and Water Resources	
The nature of the hydrology and hydrogeology of the land must be addressed, along with an assessment of the potential impacts on water courses, water supplies particularly private supplies, groundwater, water quality and quantity and on aquatic flora and fauna.	All points will be covered within both **Chapter 10 Water Environment** and **Chapter 11 Flood Risk & Water Resources** of the EIAR. The comment encompasses the standard methodology which will be delivered.
Measures to prevent erosion, sedimentation or discolouration will be required along with monitoring and contingency plans.	
Cultural Heritage	
All designated and non-designated sites that could be affected by the development, directly or indirectly, must be identified.	Cultural heritage will be assessed in **Chapter 12 Cultural Heritage** of the EIAR.
Noise and Vibration	
A detailed construction and operation noise assessment will be required along with an assessment of vibration, from construction and operation works, affecting adjacent communities and buildings.	The project team is in direct contact with EHO to ensure assessment aligns with their requirements.
Socio-Economics, Recreation and Tourism	
The EIAR should estimate who may be affected by the development, e.g. individual households, local communities or a wider socio-economic group such as tourists and tourist related businesses, recreational groups etc. The application should include relevant economic information connected with the project, including the potential number of jobs and the economic activity, both regional and local, associated with the procurement, construction, operation and decommissioning of the development.	The scope of this will be covered by **Chapter 16 Socio-Economics, Recreation And Access** in the EIAR.
EIAR should outline community engagement process including establishment of community liaison group and process for communication to community on all aspects of project. Developer should outline process of partnership with community and impacted groups.	
Historic Environment Scotland	

HES do not agree with the scoping out of potential physical impacts with HES's remit. HES note that the scheduled monument Dun Scriben for (SM6220) falls within the red line boundary with the proposed improvements to an existing access track locating c. 100 m to the east. Further details are required regarding the potential creation of the access track and the potential for direct and /or indirect physical impacts to arise from its formation on this scheduled monument. Significant further consideration will also be required in order to determine the likely extent of indirect physical impacts on Cherry Island crannog, Inchnacardoch Bay, Loch Ness (SM9762) and Urquhart Castle (SM90309) from the potential fluctuation in water levels in Loch Ness caused by the proposed development. Potential Setting Impacts HES is content with the scoping in of potential temporary impacts from construction as well as permanent impacts on the settings of assets and that the wider study area of 3 km is sufficient for assessing setting impacts on designated assets within the HES remit and welcome consideration of elements of setting beyond the 3 km study area. From the information currently available, the proposed development has the potential to adversely impact the settings of Dun Scriben, fort (SM6220) and Dun Deardail, Forts 410m and 520m ENE of Fasnagruig (SM11884). However, we consider that a bare-earth Zone of Theoretical Visibility (ZTV) taking into account all built elements of the proposed development should be produced. The list of assets highlighted above is therefore not considered to be exhaustive. It is possible that once a ZTV which covers all elements of the proposed development has been prepared by the applicant additional assets in HEs may fall within the ZTV.	The Applicant has been carrying out ongoing engagement with HES to agree the methodology of the EIA cultural heritage assessment. The impacts on heritage assets will be discussed with HES and the assessment will be reported in **Chapter 12 Cultural Heritage** of the EIAR.
Health and Safety Executive	
The Proposed Development is not within any explosive Safeguarding Zones and any other HSE zones. HSE has no further comment.	No further action required.
Joint Radio Company	
The Joint Radio Company does not foresee any potential problems based on known interference scenarios.	No further action required.
MOWI Scotland	
Note concerns about potential impacts to water levels, water quality, water pollution, sedimentation on fish health and behaviour at Mowi Fish Farm. Request that the potential effects of the development on the operation of the Loch Ness fish farm are scoped into the EIAR. A key concern for the continued viable operation of the Loch Ness fish farm is the potential impacts through changes to water levels within Loch Ness, both high water and low water levels. Mowi operates freshwater fish farms in a number of loch waterbodies which are also subject to storage hydro operations. Fluctuations in water levels outside of normal waterbody changes have the potential to significantly impact the operation of our Loch Ness fish farm and we have direct experiences of this elsewhere. We would consider that Loch Ness is particularly sensitive to further changes in water levels given PSH pressures from operational schemes and the additional schemes that are in various stages of planning The Scoping Report correctly identifies the range of existing hydro operations within the Loch Ness catchment and proposed schemes in planning stage. All current and proposed schemes will influence and change current water level management in Loch Ness. It is essential that effects of changes in water	The approach to assessing potential effects on the MOWI fish farm facility(ies) will include assessments of water quality, suspended solids, metal leachates, noise and vibration during construction, and operational impacts as a result of changing water levels in Loch Ness. MOWI's requirements for impact assessment and will be considered in the **Chapter 10 Water Environment** and **Chapter 11 Flood Risk & Water Resources** of the EIAR.

levels in Loch Ness and the potential for impacts to the operation of the fish farm is scoped into the EIAR. This assessment should include a cumulative assessment of water level effects from the existing pumped storage hydro schemes utilising Loch Ness as a `tail pond` and the proposed PSH schemes at the various stages of planning. The EIAR should include the following: • An assessment of water level changes on the mooring systems and containment of stock at the Loch Ness fish farm. • An assessment of water level changes to shoreside farm infrastructure such as slipways and vessel pontoons. Year-round access to the Loch Ness fish farm is required especially for key in-year timings around sensitive operation such as fish transfers in and out of the fish farm. High water or low water changes may render facilities such as slipways and pontoons unusable for periods of time. • The above assessments should also consider the changes in the frequency of when high and low water levels will occur. An increase in the frequency of water level extremes has the potential to impact our operational flexibility to mitigate especially for key in-year operations associated with fish transfers.	
NATS Safeguarding	
NATS has no safeguarding objection to the Proposed Development.	No further action required.
NatureScot	
Landscape and Visual The proposal will not affect any nationally important landscape and NatureScot agree with the proposed scope of the LVIA and suggested range of visualisations.	Noted.
Ecology NatureScot advise that the applicant provides sufficient information to enable an assessment of potential effects on the conservation objectives of the site and to demonstrate whether it can be ascertained that there is no Adverse Effect on Site Integrity (AESI).	NVC surveys indicated that much of the woodland NVC type is W9 which is not wet and therefore not likely to be affected by changes to Loch Ness water level. A small minority is NVC type W7 which is wet. A detailed assessment of the potential impacts and effects of the Development on Urquhart Bay Wood SAC is provided in the Statement to Inform Habitats Regulations Appraisal and within **Chapter 7 Terrestrial Ecology** of the EIAR.
The assessment should include modelling water levels in Loch Ness for various scenarios of generation and pumping (abstraction) using the most realistic worst-case scenarios. This should be set against the current baseline which includes Foyers PSH and the Caledonian Canal. In addition, modelling and assessment should, separately, consider the effects of the proposal in combination with other proposed developments that could affect water levels, including Red John and Kemp pump storage hydro schemes.	The cumulative drawdown of PSH schemes is being assessed through on-going hydraulic modelling, these results will inform the EIAR, including ecological receptors.
NatureScot generally agree with the scope of the desk study and ecological field survey described but provide additional advice for the applicant in regard to River Moriston SAC and Moray Firth SAC.	Noted. A detailed assessment of the potential impacts and effects of the Development on the River Moriston SAC and Moray Firth SAC will be provided in the Statement to Inform Habitats Regulations Appraisal and within **Chapter 9 Aquatic and Marine Ecology** of the EIAR.
NatureScot agree that the desk study and ecological field study should be sufficient but note that Slavonian grebe are nesting in other non-designated lochs across the area and note that they have recently become aware that Golden Eagle may be nesting on crags near to the proposed upper reservoir.	Schedule 1 Species, including Slavonian Grebe and Golden Eagle, will be considered as part of the **Chapter 8 Ornithology** of the EIAR.

NatureScot advise that the applicant provides sufficient information to enable an assessment of potential effects of all impact pathways, including any not listed above, on the conservation objectives of both qualifying interests and to demonstrate whether it can be ascertained that there will be no AESI. Assessments should be based on realistic worse case scenarios and include the effects of the scheme (a) alone in the context of the current baseline which includes Foyers PSH and the Caledonian Canal, and, separately, (b) in combination with other proposed developments, including Red John and Kemp pump storage hydro schemes. Any mitigation measures proposed should also be assessed against the conservation objectives.	The potential for cumulative effects, including combined effects with Foyers PSH, Loch na Cathrach PSH and Loch Kemp PSH schemes, will be assessed within the EIAR.
NatureScot note a willingness to advise on draft proposals for the surveys, modelling and assessment approaches that will be required, and on a draft shadow Habitats Regulations Appraisal (HRA) for the River Moriston SAC prior to submission. As little is known about how smolts move within Loch Ness, or key locations and causes of mortality, surveys of the movement of smolts from the River Moriston SAC through Loch Ness may be required.	**Chapter 9 Aquatic and Marine Ecology** of the EIAR will be informed by a study consisting of a detailed literature review and existing data on salmon smolt. A further salmon smolt study will be undertaken to evaluate the EIAR assessment and additionally inform the detailed mitigation measures. The further salmon smolt study scope has been sent to NatureScot, NDSFB and THC for their feedback.
Peatland	
Naturescot note that spoil from tunnel operations can have the potential to raise further impacts. Therefore, they advise that detail of spoil management is fully detailed in any application going forward.	The Outline Peat Management Plan will be available within the Appendices of **Chapter 15 Geology and Ground Conditions** of the EIAR. This will provide details on peatland restoration for the site. NatureScot will be contacted for comment on the Peatland Restoration Plan prior to submission.
NESS District Salmon Fishery Board	
NESS highlight potential delays and enhanced predation of smolts in the vicinity of PSH inlet structures particularly within the River Moriston SAC as well as the potential population-level impacts to salmon and the impacts to predator species such as Bottle nose dolphin. NESS go on to note concerns regarding the potential for changes to the water regime and stability of loch stratification from the PSH activity within Loch Ness, the impact of the daily drawdowns and the impact on the shoreline ecology of Loch Ness. NESS also note concerns that loch levels will fall below the minimum agreed between Scottish Canals and SSE more frequently Notes that no mitigation was proposed to manage flows within the scoping report and identifies the Dochfour Weir's role in managing levels for the Foyers PSH however the NESS district salmon fishery board predicts that it would not be enough to mitigate the cumulative impacts of the additional PSH schemes. Queries the actual drawdown versus the drawdown per GWh, noting contradictions in the design parameters regarding the release of the working volume of water. Further notes how this working volume would be constrained with the stop generation CAR licence to be agreed with SSE given the constraints placed on other PSH schemes. Requests a full water resource model is produced of all the cumulative schemes as a result.	NESS have been engaged directly in relation to salmon smolt and the wider issued raised in their response. **Chapter 10 Water Environment** and **Chapter 11 Flood Risk & Water Resources** of the EIAR will provide an assessment of the water level and flow changes and potential impacts on the water environment and resources. **Chapter 9 Aquatic and Marine Ecology** of the EIAR will be informed by a study consisting of a detailed literature review and existing data on salmon smolt. A further salmon smolt study will be undertaken to evaluate the EIAR assessment and additionally inform the detailed mitigation measures. The further salmon smolt study Scope has been sent to NatureScot, NDSFB and THC for their feedback.
Network Rail	
Network Rail request that a Traffic Assessment should be included to assess the effects of construction traffic on existing traffic flows and the public road network. Preferred construction traffic routes should be indicated. This will enable Network Rail to assess the possible impacts where/if the traffic crosses over/under our infrastructure and the suitability of these crossings.	**Chapter 13 Access, Traffic and Transport** of the EIAR will address all stated points.

Office of Nuclear Regulation	
ONR makes no comment on this proposed development as it does not lie within a consultation zone around a GB nuclear site	No further action required.
RSPB	
RSPB note that the Proposed Development is in an area adjacent to the North Inverness Lochs Special Protection Area (SPA)) designated for its population of Slavonian Grebe. RSPB recommend a minimum of two years of waterfowl surveys paying particular attention to any areas of bottle sedge and willow on lochan edges in May/June. RSPB go on to note that they hold the Slavonian Grebe dataset as well as other breeding birds in the area.	The impact of the Proposed Development on the North Inverness Lochs Special Protection Area (SPA) and its population of Slavonian Grebe will be considered within **Chapter 8 Ornithology** of the EIAR. The Applicant notes the request for two years of bird surveys. This recommendation will be considered within **Chapter 8 Ornithology** of the EIAR.
RSPB note the importance of NPF4's commitment to deliver positive effects for biodiversity through development. They request that an outline Biodiversity Enhancement Management Plan (or similar) be presented as part of the EIA.	The biodiversity enhancement will be included in the OLEMP or similar. The BNG assessment will be carried out using SSE Renewable's Toolkit for BNG.
RYA Scotland	
RYA note that the Proposed Development is not expected to have a significant impact on recreational and other craft using the Caledonian Canal.	No further action required.
Scottish Canals	
Aquatic Ecology, including Marine Ecology Scottish Canals requests that water level fluctuations as well as changes to water flow patterns in combination with greater variation in level changes around the Caledonian Canal assets are considered in the EIA. Scottish Canals requests that the significance of potentially altered water flow patterns, due to the Proposed Development in combination with other pumped storage hydro schemes, on the upstream and downstream migration of salmonids and other migratory fish including eels and lamprey species in the Ness Weir and Dochgarroch areas, is reviewed and mitigation proposed as required. The EIA should consider the impact of fluctuating water levels on the efficacy of the smolt sluice and the fish pass within the Ness Weir.	As described above for NDSFB, the applicant and project team are engaging with Scottish Canals to facilitate the proposed smolt tracking study and this is designed to inform the development of an appropriate mitigation strategy to maintain and improve the upstream and downstream passage of fish at Ness Weir, and in the Ness catchment as a whole. The requirement to also consider passage of European eel and lamprey species is noted and both species will e assessed in **Chapter 9 Aquatic & Marine Ecology**. **Chapter 10 Water Environment** and **Chapter 11 Flood Risk & Water Resources** of the EIAR will provide an assessment of the water level and flow changes and potential impacts on the water environment and resources.
Geology and Ground Conditions Scottish Canals requests that the potential impact of fluctuating water levels on Caledonian Canal operations with regard to the available navigable depth is included in the EIA. Sediment deposition from non-controlled river discharges create deltas within the canal approaches near Dochgarroch.	**Chapter 10 Water Environment** and **Chapter 11 Flood Risk & Water Resources** of the EIAR will provide an assessment of the water level and flow changes and potential impacts on the water environment and resources.
Water Environment Scottish Canals welcomes the consideration of potential for adverse impacts on the water environment because of construction of a temporary dock in Loch Ness to facilitate the use of the Caledonian Canal as a transport route for larger items during the construction phase.	No further action required.
Flooding Risk and Water Resources	

Scottish Canals notes that the development could potentially impact by resulting in water levels on Loch Ness and adjacent canal, which could exceed canal design parameters, presenting risks of infrastructure failure and /or overtopping and flooding and requests that the projected impacts of climate change are included in the hydrological modelling for all proposed and current pumped storage schemes on Loch Ness. Scottish Canals also request that the impact of licensed water use at Dochgarroch Lock is considered in the EIA. Scottish Canals will be able to provide flow information relating to Dochgarroch lock for inclusion in the hydrological modelling for the proposed development. Scottish Canals requires further information on the impact of the scheme not only on Loch Ness water levels, but also, the water flow regimes in the vicinity of our operational assets and reservoirs and any potential increased asset fatigue now, and in the future, based on UK projected climate change impacts. In addition, the impacts of fluctuating water levels on lock operations by both operational and non-Scottish Canals staff needs to be considered.	The water engineering team will engage with Scottish Canals directly to review the potential impact of the Proposed Development on Scottish Canal's assets.
Cultural Heritage	
Scottish Canals requests that the scope of the EIA includes the potential impact on the Caledonian Canal's operational assets at Fort Augustus, Ness Weir, and Dochgarroch Lock. Scottish Canals requests that if the scope of the development extends to include changes to the operation and/or structure of canal assets that this is included in any updates to the cultural heritage impact assessment following full consultation with Scottish Canals and Historic Environment Scotland. The assessment should include details of how the developer will ensure that the historic, protected canal structures affected by the Proposed Development are resilient, now and in the future, to projected climate change impacts.	The Applicant has been carrying out ongoing engagement with HES to agree the methodology of the EIA cultural heritage assessment. The impacts on heritage assets agreed with HES will be reported in **Chapter 12 Cultural Heritage** of the EIAR.
Access, Traffic and Transport	
Scottish Canals recognises the significant opportunity for the proposed development to use the Caledonian Canal for a variety of freight purposes. Scottish Canals requests that a Canal Management Plan be produced in collaboration with Scottish Canals and other stakeholders to ensure that the operation does not adversely affect existing leisure and commercial canal traffic.	Waterborne transportation is currently under consideration by the project team. The requirements set out in the scoping response will be discussed directly with the Scottish Canals.
Socio-economics, Recreation and Tourism	
Scottish Canals requests that the potential impact of access to existing Caledonian Canal leisure and commercial moorings, including jetties and wharves around Loch Ness is included in the EIA. Scottish Canals requests that hydrological assessments, which take account of projected climate change impacts, assess the potential impacts of the Proposed Development on the use of existing Caledonian Canal operations, boat access and egress and infrastructure. This should pay particular attention to the requirements to ensure that vessels can be securely and safely tied to fixed berths and left unattended if Loch Ness levels fluctuate regularly without notice.	The scope of this will be covered by **Chapter 16 Socio-Economics, Recreation And Access** in the EIAR.
Scottish Gas Networks	
SGN do not have any High-Pressure assets within the vicinity of the above and as such would have no objection/comment.	No further action required.
Scottish Water	

Drinking Water Protected Areas Scottish Water note that the proposed activity falls within a drinking water catchment where a Scottish Water abstraction is located which is designated as a Drinking Water Protected Area (DWPA). Scottish Water also note that Loch Ness supplies Invermoriston Water Treatment Works (WTW) and it is essential that water quality and water quantity in the area are protected. Scottish Water request that operation of Glen Earrach PSH must not reduce loch levels such that forward flow over the Ness weir is impeded or that the head of water over the Invermoriston raw water intake (RWI) is negatively impacted.	**Chapter 10 Water Environment** and **Chapter 11 Flood Risk & Water Resources** of the EIAR will provide an assessment of the water level and flow changes and potential impacts on the water environment and resources.
Surface Water Scottish Water state that they will not accept any surface water connections into our combined sewer system.	No further action required.
Scotways	
Scotways note several Rights of Way as well as the Affric Kintail Way and the Great Glen Way for consideration as part of the EIA. Scotways request that both recreational amenity and landscape impacts are considered as part of the EIA.	The impacts on the receptors identified by ScotWays will be considered in **Chapter 16 Socio-Economics, Recreation And Access** in the EIAR. Effects on the landscape and amenity of tourism and recreational receptors are considered in **Chapter 6, Landscape and Visual Assessment** and **Chapter 14 Noise and Vibration**.
SEPA	
SEPA provided generic scoping and pre-application advice is provided in the appendix to this letter with some site-specific advice. The site-specific advice is summarised below. SEPA encourage consultation with their Water Permitting Team to instigate these discussions as soon as possible and strongly recommend the twin-tracking of the CAR and Section 36 applications. SEPA also state that they would welcome further planning engagement as the project develops, and in this regard welcome the developer's proposal to make use of The Highland Councils Major Pre-Applications Service. From a planning perspective SEPA note specific interest in spoil and peat management which will be very significant issues for the project.	The application for consent will be prepared to align with the requirements identified by SEPA in their scoping response. Engagement is ongoing with SEPA to discuss the CAR license submission, and there has been engagement on EIAR matters including peat and water levels.
Site specific pre-application and scoping advice • For a development of this scale, it is especially important to ensure that detailed layout plans submitted at the application stage are provided for all elements of the development. The plans submitted with the application must detail all the temporary or ancillary works such as laydown areas, rock and peat storage areas and site compounds, which we presume will be extensive for a development of this size. They should show the area of site effected by the development (i.e. including cut and fill), not just the final footprint. The application submission should also include plans which show above and below ground infrastructure separately. The final layout should make as much use as possible of existing infrastructure such as existing tracks and minimise the length of new tracks needed to facilitate the development. If there are other proposed developments in the vicinity support facilities could be shared.	The layout plans to be submitted as part of the EIAR and the Application will detail all requested elements of the Proposed Development. Existing access tracks have been integrated into the design where possible. An outline Access Management Plan will be prepared to support the EIAR which will set out how the final layout will make as much use as possible of existing infrastructure.
Cumulative Impacts	

There is a need to fully assess the potential cumulative impacts on Loch Ness. Discussions direct with our Water Permitting team will reveal what other elements of assessment are likely to be of most significant.	The potential cumulative impacts on Loch Ness will be assessed within the relevant chapters of EIAR.
Peat • A Peat Management Plan will be required for this development. SEPA request that that suitable probing information is collected to inform the layout. • Disturbance of peat should be minimised, and the final submission should include a plan showing the extent of disturbed area. The area of peatland disturbed (including due in maximum inundation and the effects of inundation due to erosion on the surrounding peat) should be confirmed. Information should be provided on how areas of disturbed and undisturbed peat within the inundation area will be managed so that carbon loss is reduced. • SEPA also request information on peatland condition. • SEPA go on to note they are streamlining their approach to consultations concerning peat and carbon rich soils. SEPA will focus their planning advice on the avoidance, minimisation, and use of peat in areas disturbed by construction activities. SEPA will no longer provide advice on peatland restoration. Developers should refer to NatureScot guidance on restoration.	An Outline Peat Management Plan will be submitted with the application as an appendix to **Chapter 15 Geology and Ground Conditions** with input from the Landscape and Ecology team. Details of the embedded and additional mitigation measures identified to minimise impacts on peat will be set out in **Chapter 2 Project and Site Description** and **Chapter 15 Geology and Ground Conditions** of the EIAR. The baseline conditions and assessment of impacts on peatland will be provided in **Chapter 15 Geology and Ground Conditions** and **Chapter 7 Terrestrial Ecology** of the EIAR.
Materials Management • SEPA welcome the proposal for a Materials Management Appraisal. This should include information in relation to the type and volumes of material that will be excavated on site accompanied by clear information on temporary storage (which is likely to require an extensive area), reuse on site and use or disposal elsewhere. Any material that cannot be appropriately used within the site works will be considered waste and waste management legislation would apply. Any storage of material for more than three years is a landfill and will require a PPC Part A Permit. • In view of the extensive volume of excavated material being produced SEPA do not expect the development to include additional borrow pits unless it is subsequently demonstrated that there is a clear need for additional material.	Due to the volume of material anticipated to be required for the construction of various components, a Materials Management Appraisal (MMA) will be undertaken as part of the EIA process and updated prior to construction, to ensure that the material that is generated from construction is classified and reused as far as practically possible. At this stage further borrow pits are not expected and this will be outlined in the **Chapter 2 Project and Site Description** of the EIAR.
SEPA confirm that an outline Construction Environmental Management Plan (CEMP) need not be provided with the application. This is on the understanding that (1) the proposed Materials Management Appraisal will address all aspects of spoil management (minimisation, handling, processing, reuse on site, reuse off site and if required disposal) and any related waste management, (2) peat management is covered by a Peat Management Plan, (3) detailed site plans are submitted which demonstrate how impacts on the environment have been minimised through design and (4) all mitigation is detailed within a suitably robust schedule of mitigation. This approach will hopefully help streamline the overall information and assessment requirements.	The feedback is noted; however, it is intended for an outline Construction Environmental Management Plan to be produced in response to environmental management issues other than the materials management.
Stratherrick & Foyers Community Council	
The community council note concern regarding the consultation with the community.	As set out above, early engagement events were held in Balnain, Invermoriston and Foyers in August and September 2024. Subsequently, pre-application consultation events were held in in October and November in Drumnadrochit, Foyers, Invermoriston and Balnain The events were held at various times ranging from 10am to 8pm to allow as many members of the public to attend as possible. In addition to in-person consultation events, an online consultation room was displayed on the project website which provided a further opportunity for the community to review consultation material and to provide feedback

	on the scheme.As noted by the community council these was also a public meeting held with a presentation from the Applicant and a Q&A session at Drumnadrochit in May 2024.
The community council note concern regarding noise and dust levels in Foyers and Inverfarigaig and request that an assessment of the impact on dust be carried out. The community council also request that Boleskine, Inverfarigaig and Dores should be added as sites for consideration of the impacts of noise, vibration and dust	Baseline noise monitoring has been carried out at the Loch Ness Shores Camping and Caravanning Club as well as at Foyers Lodge and a quantitative noise assessment of these receptors will be carried out as representative of the worst-case scenario for noise impacts at Foyers. No significant air quality effects are anticipated as emissions to air are restricted to construction plant and construction dust, which can both be mitigated through good practice measures (e.g., dust management plan through a Construction Environmental Management Plan) of which outline plans will be provided to support the application.
The community council note concern regarding the visual impact of the Proposed Development on the south side of Loch Ness. The community council requests that several recreational/ tourism receptors be added to the socio-economic assessment.	An assessment of visual impacts will be included within **Chapter 6 Landscape and Visual** of the EIAR. This will include the assessment of visual impacts on representative viewpoints at Foyers.
The community council note concern regarding the impact on the A82 and the B862.	An assessment of the impacts on the local road network will be provided in **Chapter 13 Access, Traffic and Transport** of the EIAR.
The community council note concern regarding cumulative effect of existing and proposed PSH on the environment of Loch Ness.	Cumulative effects will be considered for each of the environmental topics and will take into account any existing environmental problems and any areas of particular environmental importance such as designated sites and landscapes. The cumulative assessment will also consider effects between the different environmental topics (intra-project effects) for the Development as well as the effects from other projects (inter-project effects). The cumulative impacts of Foyers PSH (existing), Loch na Cathrach PSH (consented) and Loch Kemp PSH (submitted S36 application) will be considered within the EIAR.
The community council note concern regarding the visual impact of water level changes.	An assessment of visual impacts will be included within **Chapter 6 Landscape and Visual** of the EIAR; the methodology of which has been agreed through consultation with THC's Landscape Officer.
The community council question the identification of Inverness as a 'vulnerable area' in Figure 11.2 of the Scoping Report.	Inverness is identified by SEPA as being within a Potential Vulnerable Area for flooding.
The community council note concern regarding the impact of the Proposed Development on the Great Glen Way.	The impact on the Great Glen Way will be assessed within **Chapter 16 Socio-Economic, Recreation and Tourism** and **Chapter 6 Landscape and Visual** of the EIAR. The design of the public accesses route through the site currently during operation and construction have not been finalised; however, the design will seek to minimise impact on the route as much as possible.
The community council note that lichen and bryophyte habitats should be considered as part of the EIA.	A Phase 1 Habitat Survey and National Vegetation Classification Survey have been carried out to determine the potential effects of the Proposed Development on important ecological features. The results of these surveys as well as the impact of the Proposed Development on identified receptors will be set out in **Chapter 7 Terrestrial Ecology** of the EIAR.
The community council request that the Stratherrick and Foyers Local Place Plan be considered as part of the EIA.	**Chapter 5 Planning Policy** of the EIAR and the Planning Statement accompanying the section 36 application will summarise the national, regional, and local planning policy guidance and development plan policies that are relevant to the Proposed Development

Transport Scotland	
Transport Scotland note that that any proposed changes to the trunk road network must be discussed and approved (via a technical approval process) by the appropriate Area Manager. In addition, we would advise that 1:500 scale plans of any new or modified access from the trunk road should be submitted with the application along with visibility splay plans. This will allow the standard of the proposed access junctions to be assessed. Transport Scotland note they are satisfied with the approach to the assessment.	An assessment of the impact on the trunk road network will be provided in **Chapter 13 Access, Traffic and Transport** of the EIAR. Transport specialists are in direct contact with Transport Scotland to ensure the assessment methodology aligns with their requirements.
The Highland Council – Planning Officer	
Sets out expectations for the description of development, consideration of alternatives and identification of significant and cumulative effects.	These are a standard EIAR methodology and will be detailed in **Chapter 4 Approach to EIA** of the EIAR.
The EIAR should recognise the existing land uses affected by the development having regard for THC's Development Plan inclusive of all statutorily adopted Supplementary Guidance (SG). This is not instead of but in addition to the expectation of receiving a Planning Statement in support of the application itself.	**Chapter 5 Planning Policy** of the EIAR and the Planning Statement accompanying the section 36 application will summarise the national, regional, and local planning policy guidance and development plan policies that are relevant to the Proposed Development
The EIAR needs to identify all designated sites which may be affected by the development either directly or indirectly. THC note that they 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.	The assessment of heritage assets, including the setting of assets, will be included within **Chapter 12 Cultural Heritage** of the EIAR. Photomontage visualisations will be produced to accompany the cultural heritage assessment as appropriate.
The presence of Schedule 1 Birds and/or European Protected Species must be included and considered as part of the planning application process. An assessment of the impacts to birds through collision, disturbance, and displacement from foraging/breeding/roosting habitat will be required for both the Proposed Development Site and cumulatively with other proposals. The EIAR should be clear on the survey methods and any deviations from guidance on ornithology matters.	Survey for Schedule 1 birds and European Protected Species has been/is being carried and assessment of impacts upon them will be a key part of the EIA. Impacts on birds will be assessed and detailed in **Chapter 8 Ornithology** of the EIAR, including cumulative impacts. Bird survey methodology has been discussed with NatureScot and will be clearly set out in the EIA.
The EIAR should provide a baseline survey of the bird and animals on site, details of impacts (particularly on bog habitat) and provide proposals for mitigation. A Peat Assessment and NVC survey should be carried out. If relevant an assessment of impacts on wild deer is required. A BEMP should be provided demonstrating that the development will significantly enhance the biodiversity of the site from its pre-development state by at least 10%.	Baseline information in the EIA will include results of detailed habitat, bird and protected/notable species surveys, and will assess impacts on all these including bog, and will provide mitigation including habitat enhancement proposals. NVC survey results and a Peat Assessment will be separately detailed in the EIA. Wild deer will be taken into consideration, primarily in the sense of potential increased deer pressure on retained terrestrial habitats, through loss of habitats used by deer to the Proposed Development. Biodiversity enhancement is being considered and will be reported in the EIA and will aim to demonstrate that the project delivers biodiversity enhancement in accordance with the National Planning Framework (NPF4). However, regarding 10% gain, note that blanket bog, the key impacted habitat, is regarded as 'irreplaceable' in biodiversity metrics, which do not allow it to be included in biodiversity net gain calculations. Instead, 'bespoke compensation measures' are stipulated. As such, a biodiversity net gain calculation will not be able to include the main affected habitat, which will significantly reduce its usefulness. 'Bespoke compensation' will be included in a landscape and ecological management plan

	or similar, which will require liaison with relevant stakeholders to develop habitat measures that are considered qualitatively sufficient to counter habitat losses. The biodiversity enhancement will be included in the oLEMP or similar. The BNG assessment will be carried out using SSE Renewable's Toolkit for BNG. The toolkit is an adapted version of the Defra metric which has been designed for use in Scotland and allows for better consideration of the local context and knowledge of habitat restoration/creation in Scotland. As such for this project, it is considered a more appropriate tool for use.
The EIAR should evidence consultation input from the local fishery board(s) where relevant. The EIAR should include a map and assessment of impacts upon GWDTE and buffers, these habitats are easily damaged by insensitive drainage.	The EIAR will include an assessment of watercourses and aquatic receptors potentially impacted by construction, operation and cumulative effects. All consultation with the Ness District Salmon Fishery Board will be set out within the EIAR. The details of consultation to date are set out in **Section 3.2**
The EIAR needs to address the nature of the hydrology and hydrogeology of the site. Assessment will need to recognise periods of high rainfall that will impact on any calculations of run-off, high flow in watercourses and hydrogeological matters. It is likely that a map and assessment of all engineering activities in or impacting on the water environment 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. If culverting should be proposed, either in relation to new or upgraded tracks, then it should be noted that SEPA has a general presumption against modification, diversion or culverting of watercourses. The need for, and information on, abstractions of water supplies for concrete works or other operations should also be identified. If a new private water supply is required, then a completed PWS Planning Questionnaire and written report should be provided. The EIAR should identify whether a public or private source is to be utilised.	**Chapter 10 Water Environment** and **Chapter 11 Flood Risk & Water Resources** of the EIAR will address all stated points.
A Housing Strategy will be submitted with the application setting out potential options for workers accommodation including utilising temporary on-site accommodation where feasible.	Details of the Temporary Workers Accommodation will be included within **Chapter 2 Project and Site Description** of the EIAR.
A comprehensive peat slide risk assessment in accordance with the Scottish Government Best Practice Guide for Developers will be expected. The EIAR should include site-specific principles on which construction method statements would be developed for engineering works in peat land areas To protect peatland and limit carbon emissions from carbon rich soils a Peatland Management Plan should be provided. Further details are provided in the body of the response. Plans for peat restoration should be provided.	A Peat Slide Risk Assessment will be submitted with the application as an appendix to **Chapter 15 Geology and Ground Conditions** with input from the Landscape and Ecology team.
It is considered that the socio-economics should be considered in its own chapter in the EIAR and assessed as per the response.	The scope of this will be covered by **Chapter 16 Socio-Economics, Recreation And Access** in the EIAR
The Highland Council – Landscape Officer	
Development must not be significantly detrimental to various considerations, including individual and cumulative impacts. Maintain an up-to-date picture of development in the wider area using the Highland Hydro Storymap (updated January 2022) and Highland wind turbine map (updated July 2024).	The landscape and visual team have been and will continue to be involved in the location, siting and design of the Development to seek to minimise effects. The LVIA will set out the anticipated effects on landscape and visual receptors arising from the Development and whether such effects are considered to be significant or not.

Onshore Wind Energy Supplementary Guidance lists ten criteria for assessing proposals, which should be part of the applicant's assessment.	The Applicant will refer to the Highland Hydro Storymap and Highland wind turbine map where appropriate to inform the LVIA.
Use citations for SLAs to assess potential impacts, with specific regard to the Loch Ness and Duntelchaig SLA.	The Applicant will refer to the ten criteria for assessing proposals within the Onshore Wind Energy Supplementary Guidance where relevant to inform the LVIA.
Consider landscape and visual impacts separately, conforming to GLVIA3 methodology. Use single frame images with 50mm and 75mm focal lengths for visual impact assessment.	Citations for relevant SLAs will be included within the landscape baseline to inform the assessment of effects. This will include the Loch Ness and Duntelchaig SLA.
Prepare separate volumes of visualisations to Highland Council Standards and NatureScot guidance, provided in hard copy, preferably in an A3 ring bound folder.	The LVIA will conform to relevant guidance, including GLVIA3 and TGN 06/19 Visual Representation of development proposals.
Useful for specific viewpoints with multiple wind farms.	Visualisations will be provided to Highland Council Standards and NatureScot guidance. The use of monochrome will be discussed with the visualisation team when visualisations are being prepared.
Include visual impact of tracks, substations, electricity connections, ancillary infrastructure, and on-site borrow pits in the EIAR.	The Landscape and Visual Impact Assessment (LVIA) will assess the impact of all parts of the Proposed Development set out within **Chapter 2, Project and Site Description** on landscape and visual receptors.
Consider other renewable energy applications in the area using the interactive Wind Turbine map (updated July 2024).	The Applicant will refer to the interactive Wind Turbine map where relevant to inform the LVIA. An assessment of cumulative effects will be included within **Chapter 6 Landscape and Visual**.
The Highland Council – Transport Planning Team	
Scoping out of operation transport impacts only supported if development doesn't include a new visitor centre. Note that the A833 north of Cannich is not suitable for accommodating high numbers of HGV as identified in the scoping report. The response set out further details on the methodology for assessing traffic and transport impacts.	**Chapter 13 Access, Traffic and Transport** of the EIAR will address all stated points.
The Highland Council – Forestry Team	
The Proposed Development Site is located within predominantly open ground but there are still significant areas of non-native and native productive conifer and native broadleaves along the side of Loch Ness, around Glen Coiltie and in the FLS woodland to the south of the A831. THC's Forestry Officer is concerned that native woodland has not been identified and fully considered. The Forestry Officer requested that the EIAR should provide a baseline survey of all woodlands/trees present in the site and a breakdown of the impacts by woodland type and that impacts are minimised as far as possible through design and provide a landscape mitigation planting plan.	The identification of woodland and the potential impacts will be considered within both **Chapter 18 Forestry** and **Chapter 7 Terrestrial Ecology** of the EIAR. Detailed information on native woodland habitats will be available including NVC in **Chapter 7 Terrestrial Ecology**.
The Highland Council – Flooding Team	
The Council's Flood Risk Management Team had no comments to make at this stage; however, consideration should be made of watercourses on site.	**Chapter 10 Water Environment** and **Chapter 11 Flood Risk & Water Resources** of the EIAR will address all stated points.
The Highland Council - Environmental Health Officer	
Noise and Vibration	
The THC EHO provided advice regarding specific methodology for the assessment of noise and vibration during construction and operation. It was also recommended that a liaison group be established between the developer/contractor and the local community during the construction stage.	Noise specialists are in direct contact with EHO to ensure the assessment methodology aligns with the EHO's requirements. Note the EHO subsequently requested a different/additional assessment (tonal) for the GIS Switchyard.

The EHO also recommended consider carrying out a pre-construction survey of any properties where vibration might be perceptible in order to have a baseline standard against which any potential complaints about structural damage can be assessed.	
Private Water Supplies	
Prior to the commencement of the development, it is required to carry out an investigation to identify any private water supplies infrastructure 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. It should also include proposals for contingency measures in the event of an incident.	The details of the Private Water Supplies surveys will be detailed in **Chapter 10 Water Environment** of the EIAR.
Temporary Accommodation	
It is understood that the development will involve a significant workforce and that a Housing Strategy will be submitted with the application. The EHO requested additional information regarding the water provision for the accommodation and noted that any application will be required to include a completed PWS Planning Questionnaire and written report from a competent person that confirms the accommodation will be served by a sufficient piped supply of wholesome water.	It is proposed that the temporary workers accommodation will utilise the mains supply.
Dust	
Prior to the development commencing, the applicant shall submit, for the written approval of the planning authority, details of a dust mitigation scheme designed to protect neighbouring properties from dust arising from this development. Particular attention should be paid to the formation of new access tracks and construction traffic.	Measures to mitigate impacts from dust will be included within the outline CEMP that will be submitted with the Application
Woodland Trust	
General non-specific advice was provided by Woodland Trust regarding considering the impact of developments on woods and trees.	Woodland and forestry will be considered within the EIAR within **Chapter 7 Terrestrial Ecology** and **Chapter 18 Forestry**.

Appendix C Document Copies

Consultee
Pre-Application Advice (24/00617/PREMAJ)
The Highland Council
EIA Scoping Responses (24/02045/SCOP OR ECU00005121)
Energy Consents Unit
BT
BugLife
Caley Cruisers Ltd
Crown Estates Scotland
Glen Urquhart Community Council
Health and Safety Executive
Historic Environment Scotland
Joint Radio Company
MOWI Scotland
NATS Safeguarding
NatureScot
NESS District Salmon Fishery Board
Network Rail
Office of Nuclear Regulation
RSPB
RYA Scotland
Scottish Canals
Scottish Gas Networks
Scottish Water
Scotways
SEPA
SGN
Stratherrick & Foyers Community Council
Transport Scotland
The Highland Council – Planning Officer
The Highland Council – Landscape Officer
The Highland Council – Transport Planning Team
The Highland Council – Forestry Team
The Highland Council – Flooding Team
The Highland Council - Environmental Health Officer
Woodland Trust

The Highland Council
Comhairle na Gàidhealtachd

PRE-APPLICATION ADVICE FOR MAJOR DEVELOPMENTS

Reference no:	24/00617/PREMAJ	**Date of Issue**:	19 October 2024
Proposal:	Loch nam Breac Dearga Pumped Storage Hydro Scheme - Erection and operation of a pumped storage hydroelectric scheme and associated infrastructure.	**Address:**	Land 2700m West of Inchtellach, Bunloit, Drumnadrochit
Case officer:	Roddy Dowell	**Email and phone no:**	roddy.dowell@highland.gov.uk
Confidentiality Requested	Yes		

This pre-application advice has been specifically prepared for Glen Earrach Energy as the applicant and AECOM as the agent for the proposed development at Land 2700M West of Inchtellach, Bunloit, Drumnadrochit

Description of proposal

Loch nam Breac Dearga Pumped Storage Hydro Scheme - Erection and operation of a pumped storage hydroelectric scheme and associated infrastructure.

Summary of Key Issues

Pumped Storage Hydroelectric schemes are national developments, identified in National Planning Framework 4. As such, the need for such projects is established. Highland Council are supportive of renewable energy developments and its supporting infrastructure where it can be appropriately sited and designed to not be significantly detrimental overall, either individually or cumulatively with other developments. However, the site is significantly challenging with the matters identified within the preapplication response below raising a number of concerns that will need to be addressed with further information provided. For instance:

- NatureScot have raised concerns regarding the potential impacts of the proposed development on the qualifying interests of River Moriston SAC, Urquhart Bay Woods SAC and Moray Firth SAC. NatureScot note if the proposal significantly affects the qualities of these SACs and the mitigation proposed to reduce impacts are deemed insufficient, this may lead to a NatureScot objection.
- Landscape and visual impacts of the proposed development on the Loch Ness and Duntelchaig Special Landscape Area both in isolation and any cumulative schemes. The proposal will require to be accompanied by suitable visualisations, for when the scheme is complete, and the landscaping matured but also for interim periods throughout construction and establishment of the landscaping to consider the worst case scenario. A robust and well thought out mitigation strategy will also be required, with careful consideration given to design, exposed materials, soft landscape mitigation and ongoing maintenance of the appearance of structures.
- Clear information needs to be provided on the phasing of the works; a series of plans showing exploratory works, enabling works and final construction works for the proposed development is required.

- The proposed development will result in the disturbance of carbon rich soils and peatland. A Peat Management Plan is required which should confirm the volume of peat disturbed by the development (including a calculation of peatland that will be inundated) and how it will be used in successful restoration to form a functioning peatland system capable of achieving carbon sequestration.
- The proposed development will need to deliver biodiversity enhancement in compliance with Policy 3 – Biodiversity of NPF4. A Biodiversity Enhancement and Management Plan will also be required.
- A full assessment of the ecology at the site is required to determine if there are particular ecological/environmental constraints associated with the proposed development.
- Transport Planning note that the A833 road north of Cannich is not suitable for accommodating high numbers of large commercial goods vehicles without extensive improvements. A Transport Statement/Assessment is required.
- An Outdoor Access Plan or Access Management Plan is required to address the proposed development's potential impact on public access during preparatory works, construction works and once the scheme is operational. All the local public rights of way shall be included for the baseline study.
- A Flood Risk Assessment should be submitted to demonstrate that the development will remain operational during flood events and will not increase flood risk elsewhere. A Drainage Impact Assessment is required. Impacts upon Ground Water Dependant Terrestrial Ecosystems will also need to be considered. The proposed development will require a CAR application which should be aligned with the Section 36 consent.
- Historic Environment Scotland noted a photomontage visualisation is required to demonstrate the potential impacts on scheduled monuments in the wider surrounding area and shore of Loch Ness.
- Mitigation measures regarding private water supplies e.g. excavations outwith existing groundwater abstraction and risk assessment.
- Pollution and amenity impacts will need to be addressed e.g. noise impact assessment, dust plan and spoil management plan.
- Details of external lighting with night time visualisations provided.
- Location, dimensions and restoration proposals for borrow pits.
- Details of accommodation for construction workers.

Background Information

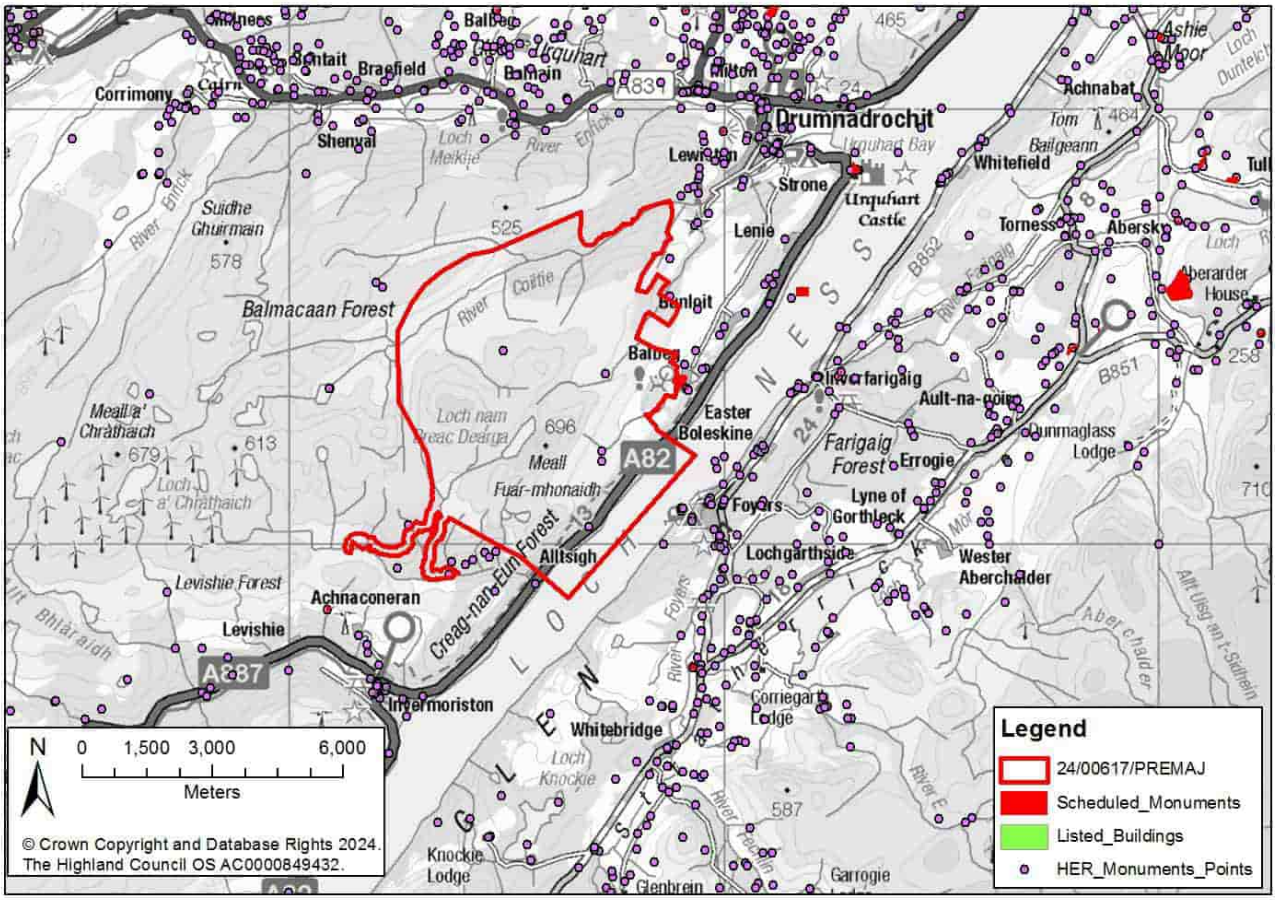
Site Area	415ha	
Land Ownership	Uknown	
Existing Land Uses	A mixture of open land and the water environment	
Grid Reference	245476 (E)	823661 (N)

Consents Required

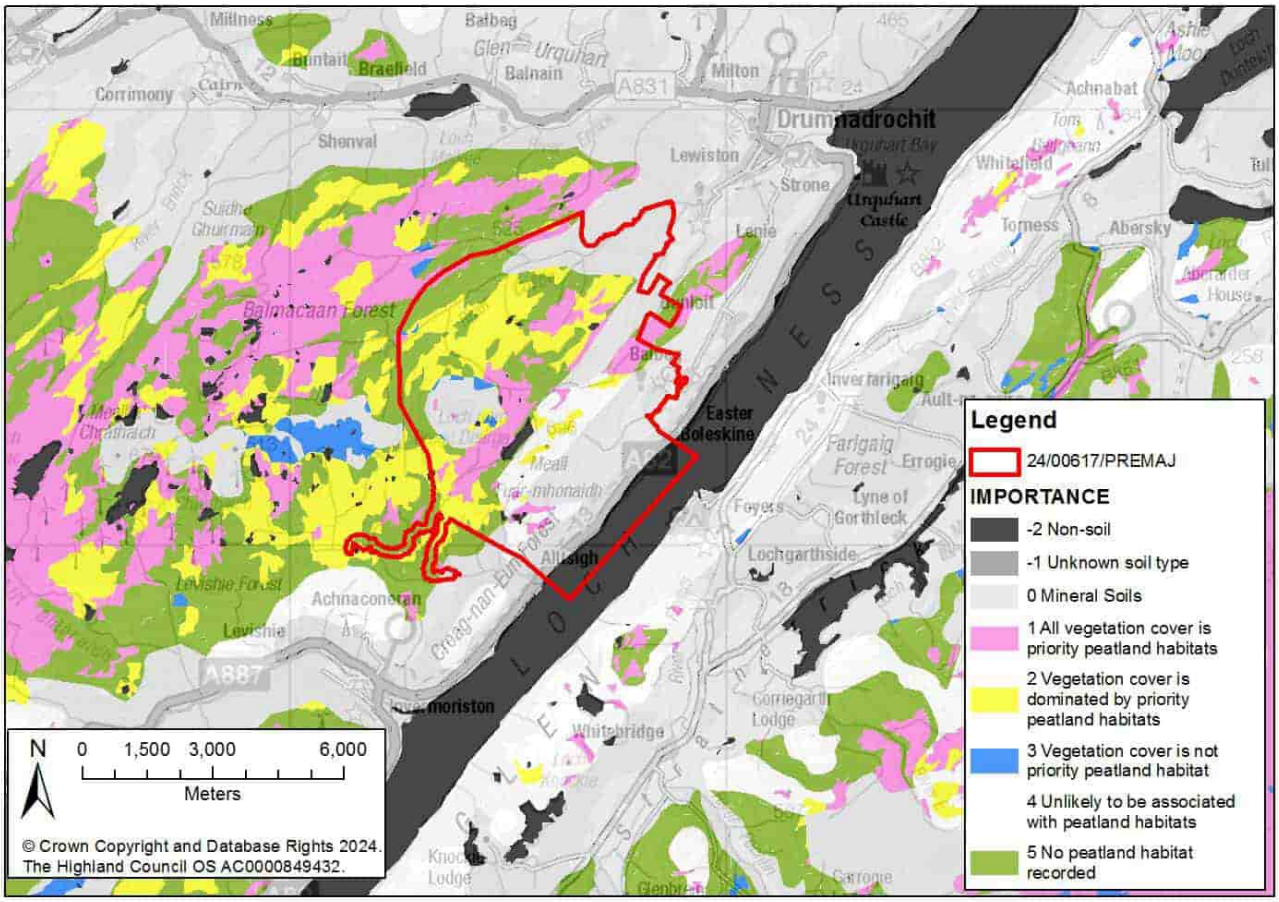
You are advised that the following consent(s) will be required for the proposed development:
Section 36 consent

Site Constraints Map

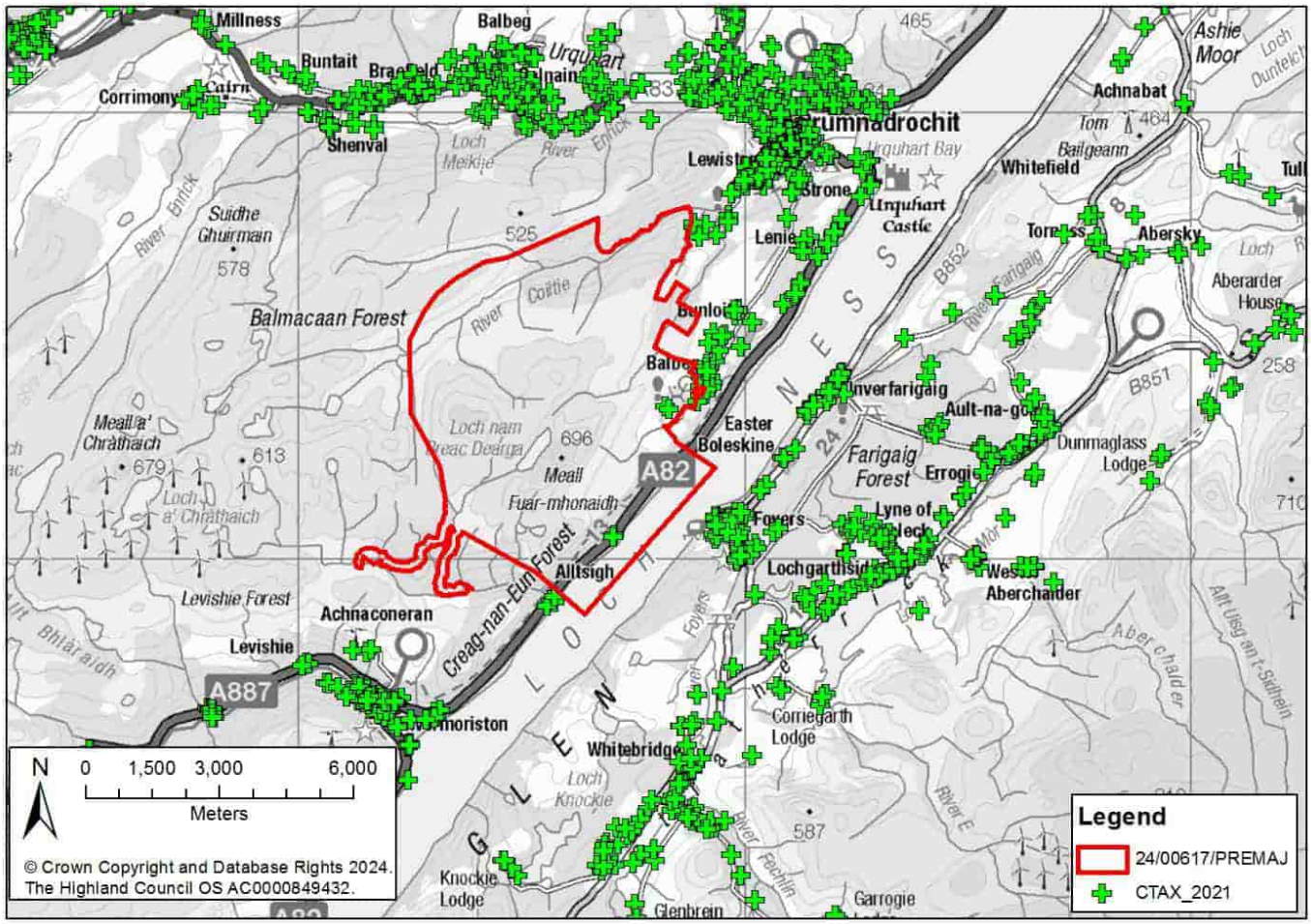
Built Heritage



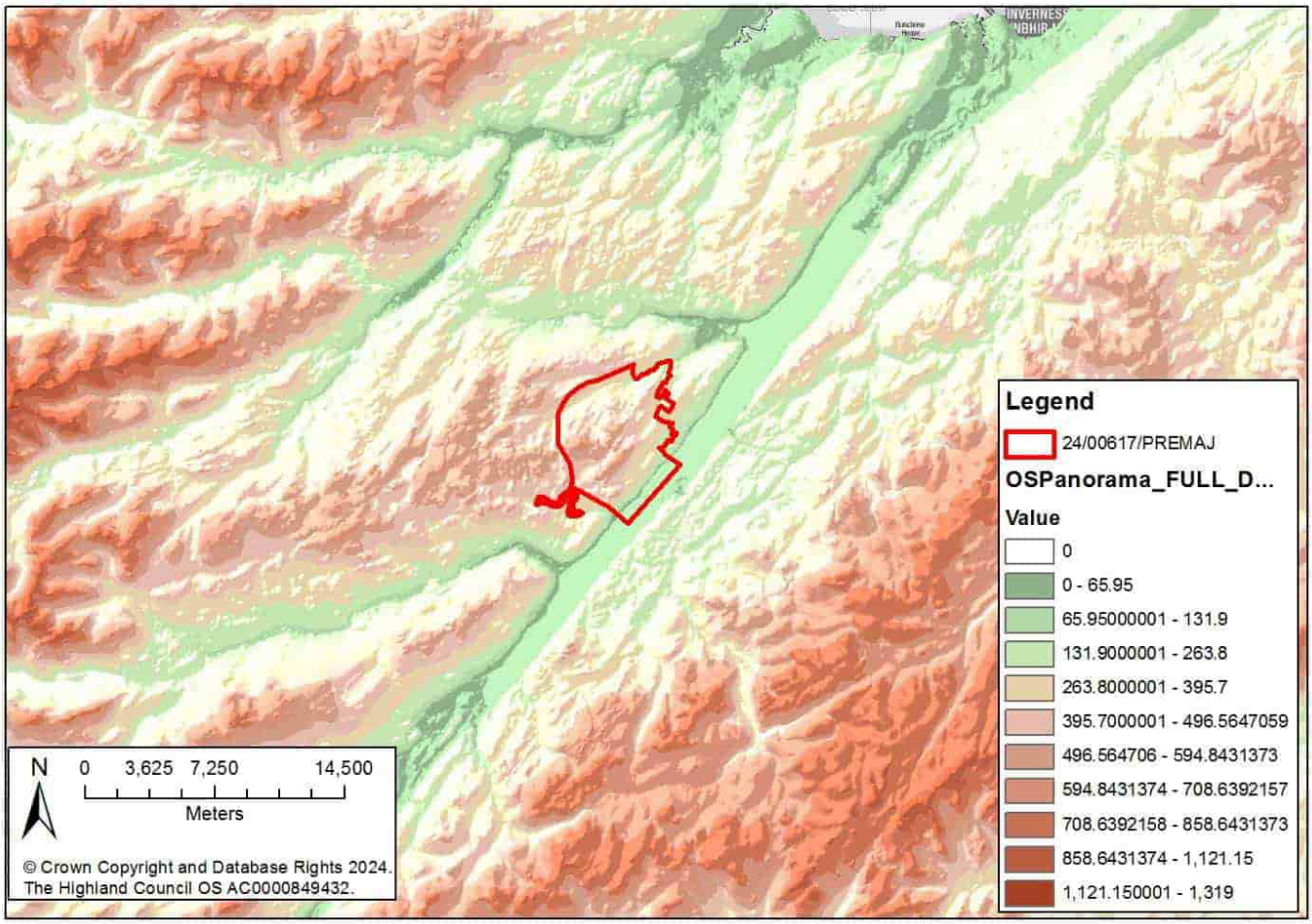
Carbon and Peatland



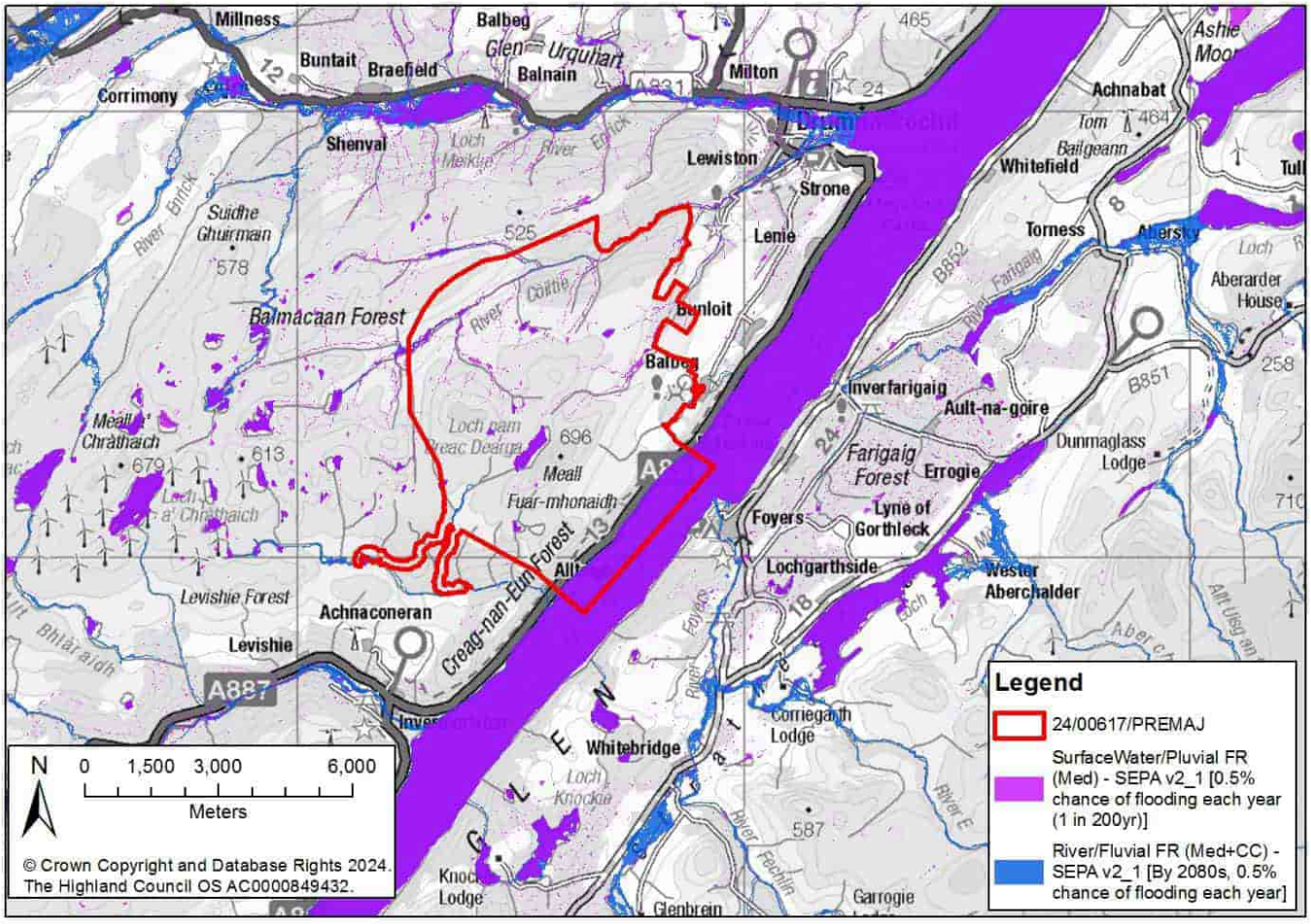
Council Tax Points at 2021



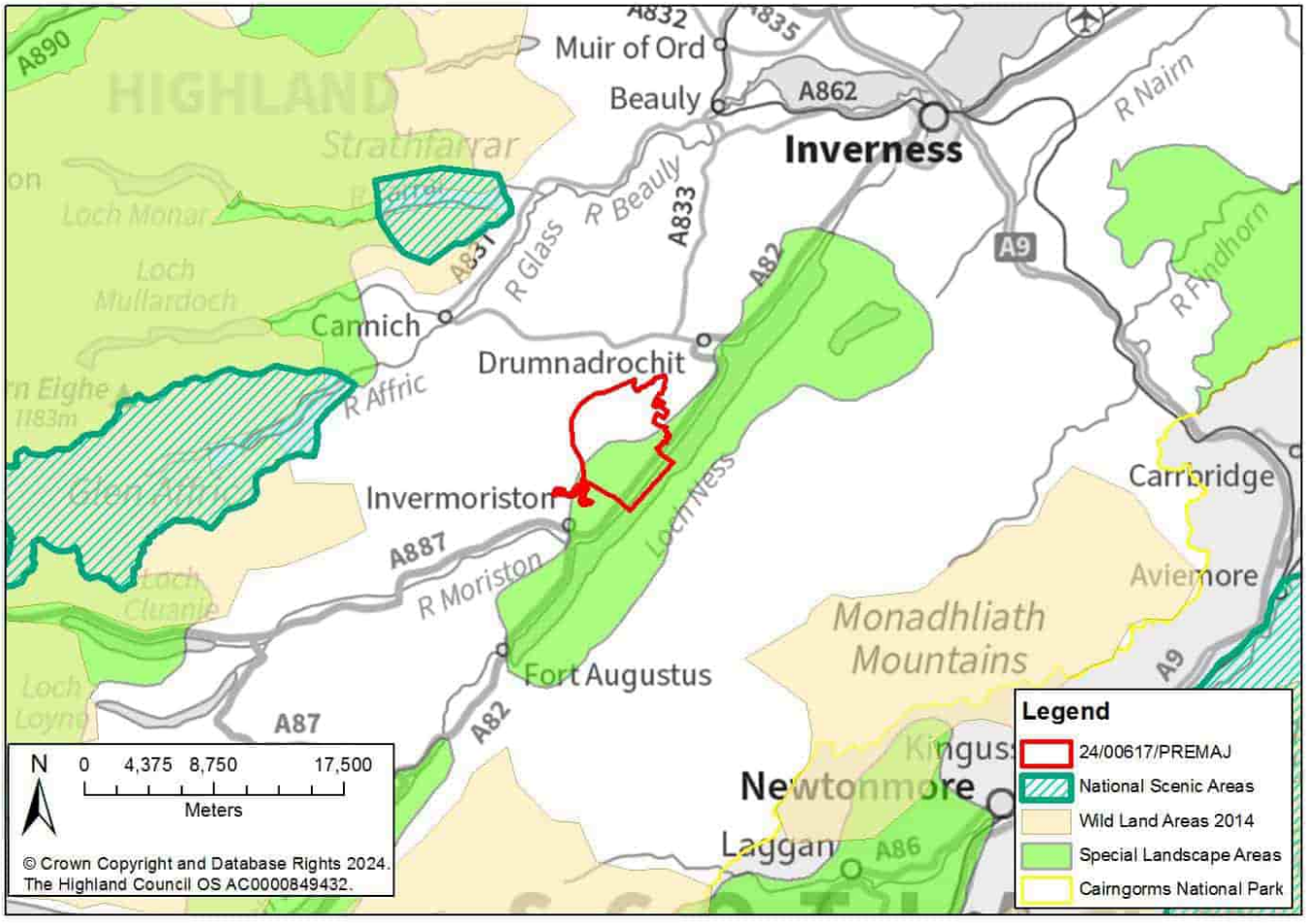
Digital Terrain Model



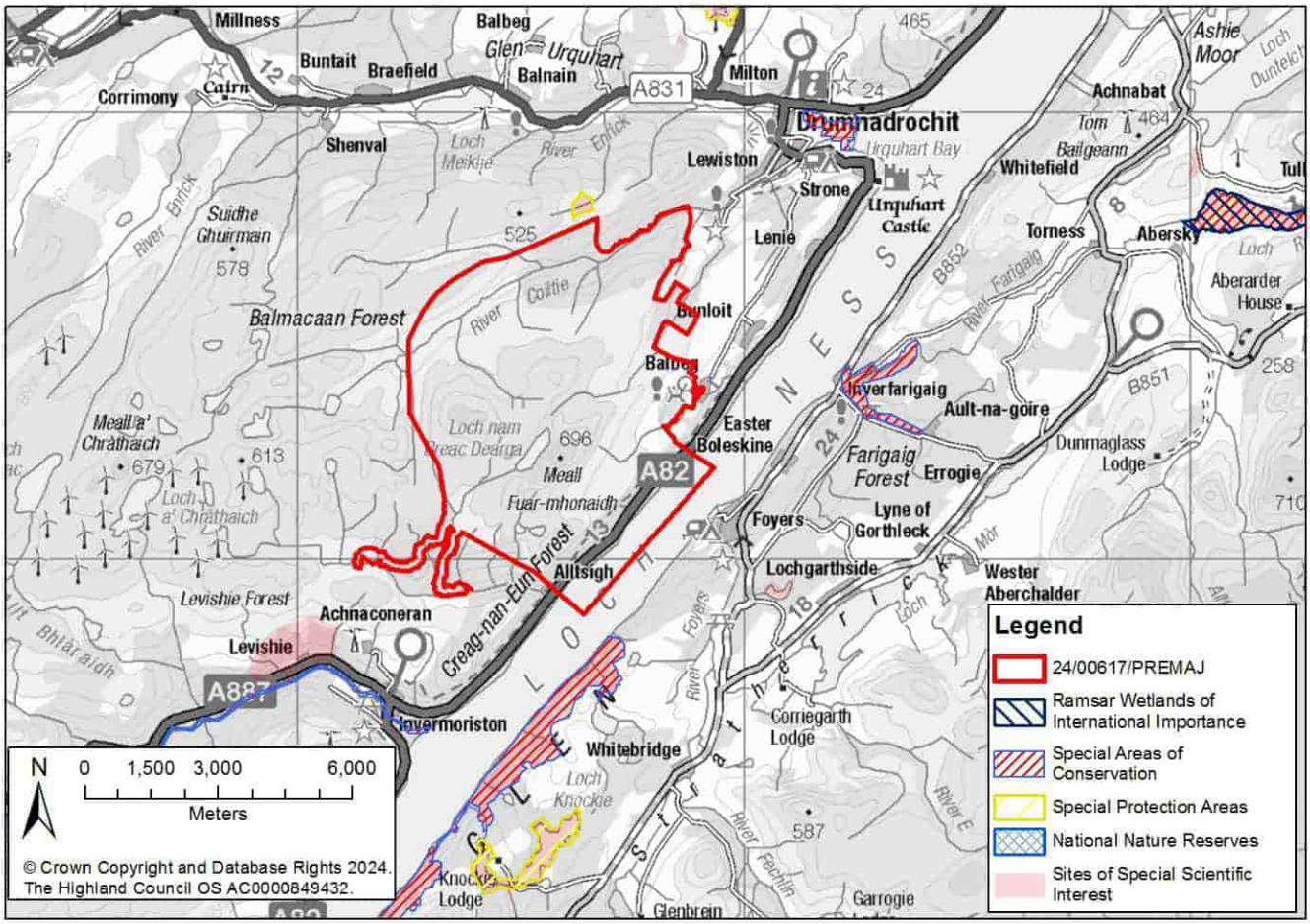
Flood Risk



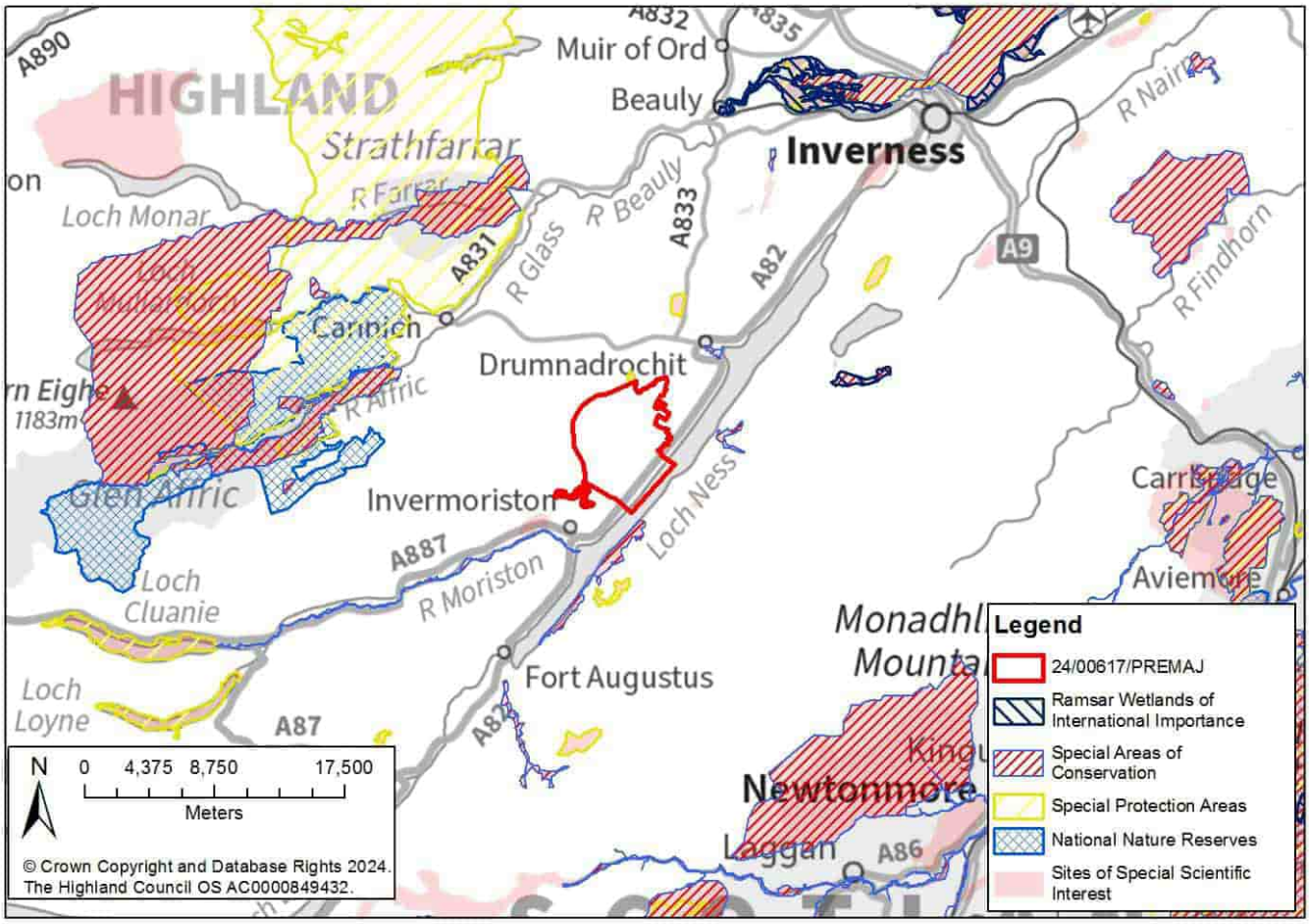
Landscape



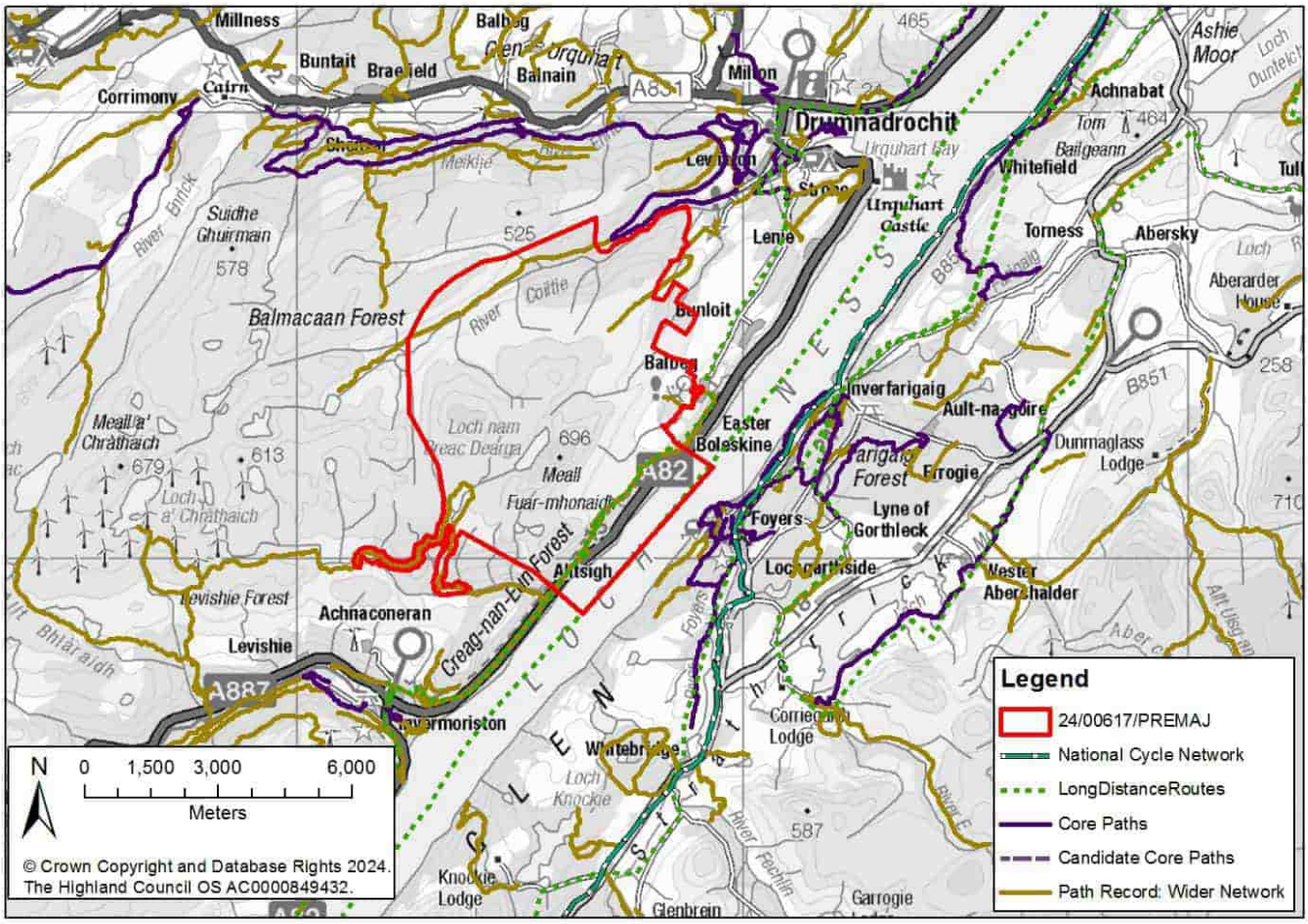
Natural Heritage Large Scale



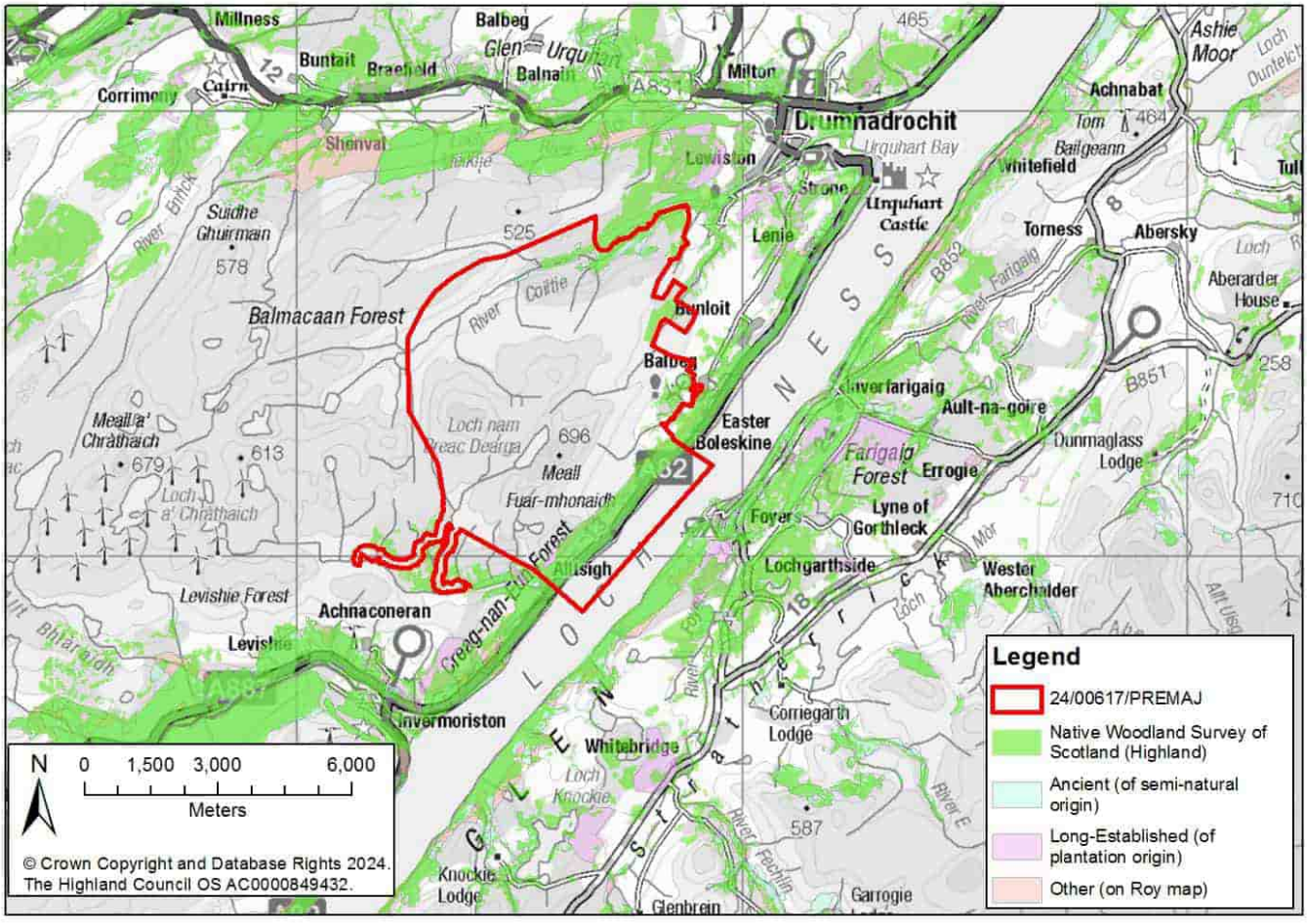
Natural Heritage Small Scale



Outdoor Access



Woodland



Supporting Information Requirements			
Abnormal Load Assessment	X	Open Space Strategy	
Access Management Plan		Operational Noise Assessment	
Arboricultural Impact Assessment		Peat Management Plan	X
Archaeological Site Investigations		Planning Statement	
Assessment of Impact on Historic Environment	X	Pre-Application Consultation Report	
Aviation Impact Assessment		Private Water Supplies/Mitigation scheme	
Borrowpit Management Plan		Protected Habitat Survey	X
Carbon Balance Assessment		Protected Species Survey	X
Compensatory Planting Plan		Restoration / Decommissioning Plan	
Construction Noise Assessment – Scheme of best practicable means		Retail Impact Assessment	
Construction Traffic Management Plan	X	Schedule of Mitigation	X
Contaminated Land Report		Shadow Flicker Assessment	
Design and Access Statement	X	Street Elevations	
Development Brief		Structural Survey	X
Drainage Impact Assessment	X	Sustainable Design Statement	
Dust Survey		Swept Path Analysis	X
Electric Car Charging Strategy		Transport Assessment	X
Flood Risk Assessment	X	Transport Statement	
Forest Residual Waste Strategy		Tree Constraints Plan	
GWDTE Assessment	X	Tree Protection Plan	
Habitat Management Plan	X	TV / Radio Impact Assessment	
Landscape and Visual Impact	X	Vibration Assessment	
Landscape Maintenance/Management Plan		Visualisations	X
Landscape Plan		Waste Strategy	
Water level Monitoring			X
Bare-earth Zone of Theoretical Visibility Plan taking into account all built elements of the proposed development			X
Material/Spoil balance assessment			X
Detailed Levels Plan including relevant site cross-sections			X

Planning history			
Previous Reference	**Description**	**Date of Decision**	**Outcome**
24/02045/SCOP	Proposed pumped strorage hydro scheme Glen Earrach/Loch nam Breac Dearga	19 October 2024	Scoping response issued

Planning Policy

National Planning Framework 4 (NPF4 Adopted 2023)

Policy 1 - Tackling the climate and nature crises
Policy 3 – Biodiversity
Policy 4 – Natural places
Policy 5 - Soils
Policy 11 – Energy
Policy 12 – Zero Waste
Policy 14 – Design, quality and place
Policy 22 – Flood risk and water management
Policy 29 - Rural development
Policy 33 – Minerals

Highland-wide Local Development Plan (HwLDP Adopted 2012)

Policy 28 - Sustainable Design
Policy 29 - Design Quality & Place-making
Policy 30 - Physical Constraints
Policy 31 - Developer Contributions
Policy 35 - Housing in the Countryside (Hinterland Areas)
Policy 36 - Development in the Wider Countryside
Policy 51 - Trees and Development
Policy 52 - Principle of Development in Woodland
Policy 53 – Minerals
Policy 54 - Mineral Wastes
Policy 55 - Peat and Soils
Policy 56 - Travel
Policy 57 - Natural, Built and Cultural Heritage
Policy 58 - Protected Species
Policy 59 - Other important Species
Policy 60 - Other Importance Habitats
Policy 61 - Landscape
Policy 62 - Geodiversity
Policy 63 - Water Environment
Policy 64 - Flood Risk
Policy 65 - Waste Water Treatment
Policy 66 - Surface Water Drainage
Policy 67 - Renewable Energy Developments
Policy 69 - Electricity Transmission Infrastructure
Policy 72 - Pollution
Policy 73 - Air Quality
Policy 77 - Public Access

Policy 78 - Long Distance Routes

Inner Moray Firth Local Development Plan 2 (IMFLDP2 Adopted 2024)

Policy 2 - Nature Protection, Restoration and Enhancement

Highland Council Supplementary Guidance

Developer Contributions (November 2018)
Flood Risk & Drainage Impact Assessment (Jan 2013)
Green Networks (Jan 2013)
Highland Historic Environment Strategy (Jan 2013)
Highland's Statutorily Protected Species (March 2013)
Managing Waste in New Developments (March 2013)
Physical Constraints (March 2013)
Public Art Strategy (March 2013)
Roads and Transport Guidelines for New Developments (May 2013)
Special Landscape Area Citations (June 2011)
Standards for Archaeological Work (March 2012)
Sustainable Design Guide (Jan 2013) Trees, Woodlands and Development (Jan 2013)

Scottish Planning Policy and Guidance

Scottish Energy Strategy (Dec 2017)
Historic Environment Policy for Scotland (HEPS, 2019)
PAN 1/2011 - Planning and Noise (Mar 2011)
Circular 1/2017: Environmental Impact Assessment Regulations (May 2017)
PAN 60 – Planning for Natural Heritage (Jan 2008)
2020 Routemap for Renewable Energy (Jun 2011)
Wind Farm Developments on Peat Lands, Scottish Government (Jun 2011) (whilst not a wind farm the document contains relevant information for other developments which may involve peat)
Energy Efficient Scotland Route Map, Scottish Government (May 2018)
Assessing Impacts on Wild Land Areas, Technical Guidance, NatureScot (Sep 2020)
Scottish Land Use Strategy 2021-2026 (2021)

Policy Appraisal

Advice from Development Plans Team

Principle of the Development

Any future application(s) will be assessed against NPF4 and the Council Development Plans identified below:

- National Planning Framework 4 (NPF4) adopted in 2023
- Highland-wide Local Development Plan (HwLDP) adopted in 2012
- Inner Moray Firth Local Development Plan 2 (IMFLDP2) adopted 2024
- And associated Supplementary Guidance

The following response does not attempt to detail all the policies within NPF4 or the Council Development Plan documents that may be relevant; instead, it is limited to the most relevant to the assessment of any future application for the proposal. It is however, recommended that the applicant/agent fully reviews and considers all relevant documents prior to a formal submission.

National Planning Framework 4 (NPF4) (2023)
NPF4 was adopted on 13 February 2023 and is now part of the Development Plan. It replaced National Planning Framework 3 and Scottish Planning Policy. Full details of NPF4 are available on the Scottish Government website.
NPF4 comprises three distinct parts:

- Part 1 – sets out an overarching spatial strategy for Scotland in the future. Outlining that Scotland is facing unprecedented challenges and that we need to reduce greenhouse gas emissions and embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity loss, improve health and wellbeing, and build a wellbeing economy while striving to create great places. Therefore, NPF4 sets out that choices need to be made about how we can make sustainable use of our natural assets in a way that benefits communities.
  The spatial strategy also reflects existing legislation by setting out that decision making requires to reflect the long-term public interest. However, in doing so, it is clear that the decision maker must make the right choices about where development should be located, ensuring clarity is provided over the types of infrastructure that need to be provided and the assets that should be protected to ensure they continue to benefit future generations. To that end, the Spatial Priorities support the planning and delivery of sustainable places, which will reduce emissions, restore and better connect biodiversity; create liveable places, where residents can live better, healthier lives; and create productive places, with a greener, fairer, and more inclusive wellbeing economy. Annex C sets out 18 National Developments which are significant developments of national importance that support the spatial strategy. Pumped Hydro Storage is classed as a national development under National Development No. 2.
- Part 2 – sets out the National Planning Policy which cover three themes: Sustainable Places, Liveable Places, & Productive Places; within which there are a total of 33 policies and many of these consist of distinct sub-policies. These 33 national planning policies form part of the development plan and will be assessed along with the Council's LDP policies for development management decisions.
- Part 3 – provides a series of annexes that provide the rationale for the strategies and policies of NPF4, which outline how the document should be used, and set out how the Scottish Government will implement the strategies and policies contained in the document. With Annex A: 'How to use this document' noting that the policies within Part 2 should be read as a whole and '…it is for the decision maker to determine what weight to attach to policies on a case-by-case basis….' It goes on to state that '…where a policy states that development will be supported, it is in principle, and it is for the decision maker to take into account all other relevant policies….'.

The most relevant NPF4 policies to this proposal are as follows:

- Policy 1 (Tackling the climate and nature crises) is an overarching policy that requires 'significant weight' to the global climate and nature crises. The 8th February 2023 Chief Planner letter provides specific advice on this policy and notes '…it will be for the decision maker to determine whether the significant weight to be applied tips the balance in favour for, or against a proposal on the basis of its positive or negative contribution to the climate and nature crises….'.
- Policy 3 (Biodiversity) requires all forms of development, to include appropriate measures to conserve, restore and enhance biodiversity proportionate to the nature and scale of development. The requirement to deliver biodiversity enhancement is a new duty.
  Sub-section b) of the policy requires national & major developments and developments that requires an Environmental Impact Assessment to meet all the following criteria:

i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;
ii. wherever feasible, nature-based solutions have been integrated and made best use of;
iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate; and
v. local community benefits of the biodiversity and/or nature networks have been considered.

Highland Council's Biodiversity Enhancement Planning Guidance was adopted in 2024 and is a material consideration. It is aimed at developers, agents, architects and their consultants. The guidance explains the approach that is required by the Highland Council to deliver biodiversity conservation, restoration and enhancement through the planning system. This guidance has been prepared to support the application of the National Planning Framework 4 (NPF4). It is intended to be used in conjunction with relevant national and local policy and planning guidance.

Scottish Government has published draft biodiversity planning guidance setting out the Scottish Ministers'

expectations for implementing NPF4 policies which support the cross-cutting NPF4 outcome 'improving biodiversity'.
The applicant is encouraged to give full details, as far as is possible at application stage, of the planned biodiversity enhancement and what will be done to achieve this enhancement.

The Development of a Biodiversity Metric for Scotland's Planning System
In September 2023, the Scottish Government released independent research conducted by SRUC on 'Approaches to Measuring Biodiversity in Scotland'. The report's findings and recommendations propose practical steps for achieving a consistent, cross-government approach to measuring biodiversity at the site level. Specifically targeting the planning sector, NatureScot has initiated efforts to create an adapted biodiversity metric tailored for supporting the implementation of Policy 3b in National Planning Framework 4. This new tool aims to assist developers and planning authorities in evaluating the biodiversity enhancements resulting from developments. It will be applicable to major development projects, aligning with the goals of National Planning Framework 4. While based on a metric utilized in England, it will be refined to suit Scotland's requirements. A recently released consultation paper outlined key issues for feedback and invited input from stakeholders interested in biodiversity metric development for planning purposes. The consultation, accessible on the NatureScot website, concluded on Friday, May 10, 2024.

- Policy 4 (Natural Places) seeks to protect, restore and enhance natural assets making best use of nature-based solution. A number of the parts of the policy will be relevant to assessment of the proposal, given the range of types of natural place that could be affected. Particular attention is drawn to part d) which applies to the Council's Special Landscape Areas, it being noted that part of the proposal site is within the Loch Ness and Duntelchaig SLA.
- Policy 11 (Energy) intends to encourage, promote and facilitate all forms of renewable energy development. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS).
  Section a) notes development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported, including pumped hydro storage.
  Section c) confirms development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.
  Section d) confirms that proposals that impact on international or national designations will be assessed in relation to Policy 4.
  Section e) requires project design and mitigation to demonstrate how the following impacts are addressed:

i. impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;
ii. significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable;
iii. public access, including impact on long distance walking and cycling routes and scenic routes;
iv. impacts on aviation and defence interests including seismological recording;
v. impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;
vi. impacts on road traffic and on adjacent trunk roads, including during construction;
vii. impacts on historic environment;
viii. effects on hydrology, the water environment and flood risk;
ix. biodiversity including impacts on birds;
x. impacts on trees, woods and forests;
xi. proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;
xii. the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and
xiii. cumulative impacts.

In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.
It is expected that proper assessment and consideration of a range of types of cumulative impacts will be vital for this pumped storage hydro proposal, including understanding to what extent these can be addressed through how the scheme would be managed and operated.

- Policy 29 Rural development seeks to encourage rural economic activity, innovation and

diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced.

Other policies from NPF4 that will be relevant include:

- Policy 5 Soils
- Policy 6 Forestry, woodland and trees
- Policy 7 Historic assets and places
- Policy 12 Zero Waste
- Policy 18 Infrastructure first
- Policy 20 Blue and green infrastructure
- Policy 22 Flood risk and water management
- Policy 25 Community wealth building
- Policy 33 Minerals

Highland-wide Local Development Plan (HwLDP) (2012)

HwLDP was adopted in 2012 and sets out a range of planning policies applicable for the whole Highland Council area. HwLDP will continue to be used alongside NPF4, until it is replaced by a new style LDP. The Council notes that legislation and planning law indicates that if there is incompatibility between a provision of the LDP and a provision of the NPF, whichever is the more recent shall prevail. That requirement does not take away from the fact that the HwLDP must, whilst still part of the adopted Development Plan, be part of the consideration and, as such the following policies are considered relevant:

- Policy 28: Sustainable Design – assesses proposals on the extent to which they are compatible with a range of factors, including impacts on individual and community residential amenity and demonstrating high quality siting and design.
- Policy 57 Natural, Built and Cultural Heritage - All development will be assessed taking into account the level of importance and type of heritage features, the form and scale of development and any impact on the feature and its setting. HwLDP provides more details on the criteria which apply to each of the three categories of importance: international, national and local/regional. The applicant will be required to demonstrate that there is no significant impact on the features covered by this policy, and this should include (but is not limited to) the following features which are in vicinity of and/or have potential connectivity with the proposed site:
    - River Moriston SAC
    - Urquhart Bay Wood SAC
    - Moray Firth SAC
    - Loch Ness and Duntelchaig SLA

The SLA citations webpage provides the most up to date information on SLAs. The proposal sits partly within the Loch Ness and Duntelchaig SLA.

- Policy 61 Landscape requires new development to reflect the landscape characteristics and special qualities identified in the relevant, refreshed and published (2019) NatureScot (formerly SNH) Landscape Character Assessments (LCAs). The LCAs are a starting point on which to base assessment of landscape and visual impact. It is important to set out who the visual receptors of the development are, what the landscape impacts are and how these two factors relate. https://www.nature.scot/professional-advice/landscape/landscape-character-assessment
- Policy 67 Renewable Energy Developments notes that whilst the proposal is pumped storage and not generally classified as a renewable energy technology, it is an important contributor to the energy mix, with the potential to support current and future renewable energy strategies and policies. Energy storage has the potential to enable greater penetration of renewable technologies onto the grid where intermittency of generation or spikes in demand require there to be some back up supply from energy storage technologies including pumped storage hydro. Due to this crucial link, Policy 67 is addressed. It supports proposals that contribute towards meeting renewable energy generation targets. Notwithstanding that this proposal has the potential to make a significant contribution to the decarbonisation of energy generation, this support is subject to addressing important key issues and other criteria. The Council must be satisfied that the development is located, sited and designed in a way that will not be significantly detrimental to a number of considerations as set out in this policy. This includes both individual impacts and cumulative impacts with other schemes. Should the project progress, it will be important to maintain an up-to-date picture of development in the wider area, particularly for informing cumulative impact assessment. A starting point for this is the Council's Highland Hydro Storymap (last updated January 2018) and the Highland wind turbine map (last updated July 2024); however, cumulative assessment will also need to take into account the latest

status of schemes and schemes not captured by those maps, especially the more recent pumped hydro schemes that have been proposed across the area.

Other key policies from HwLDP that are also relevant are:

- Policy 30 Physical Constraints
- Policy 31 Developer Contributions
- Policy 35 - Housing in the Countryside (Hinterland Areas)
- Policy 36 Development in the Wider Countryside (with respect to other developments that may be proposed in the area)
- Policy 51 Trees and Development
- Policy 52 Principle of Development in Woodland
- Policy 53 Minerals
- Policy 54 Mineral Wastes
- Policy 55 Peat and Soils
- Policy 56 Travel
- Policy 58 Protected Species
- Policy 59 Other Important Species
- Policy 60 Other Important Habitats
- Policy 63 – Water Environment
- Policy 64 – Flood Risk
- Policy 66 – Surface Water Drainage
- Policy 69 – Electricity Transmission Infrastructure
- Policy 72 – Pollution
- Policy 77 – Public Access (note that in addition to the routes shown on the map provided in this advice, there may be additional routes on and near the site as was highlighted by the Council's Landscape Officer at the preapplication advice meeting)
- Policy 78 – Long Distance Routes

Review of Highland-wide Local Development Plan

The Council began a review of HwLDP, with the publication of the Main Issues Report in September 2015 and subsequent consideration of the comments received in 2016. In December 2017, the Scottish Government published the Planning Bill outlining changes to the Scottish planning system. The Council took the decision to halt the HwLDP Review until more was known about the changes. The Planning (Scotland) Act 2019 was subsequently made. Following the finalisation and adoption of NPF4 in February 2023, Regulations and Guidance for Local Development Planning have been finalised, bringing the new provisions for plan preparation into force.

The preparation of a new-style Highland Local Development Plan (HLDP)

The March 2024 Development Plans Newsletter is available on the Council's website. It sets out The Highland Council's intentions for the preparation of a new, single Highland Local Development Plan. Through 2024 we will continue to focus primarily on evidence-gathering for the new LDP, with the tentative programme including an Evidence Report towards the end of 2024 and subsequent Gate Check, with Proposed Plan stage towards the end of 2025. The HLDP will, once adopted, replace all our current LDPs. As part of this programme of work, the Council will review 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.

Area Local Development Plan – Inner Moray Firth Local Development Plan 2 (IMFLDP2 2024)

The Highland Council Area Local Development Plan covering the proposed site is the Inner Moray Firth Local Development Plan 2 adopted in 2024. This plan's focus is on the regional and settlement strategies of the Inner Moray Firth area. Its primary focus is on identifying specific site allocations and as such, much of the content of the plan is not directly relevant to this proposal. However, certain aspects of the strategy for the local area/settlement may help to inform plans for community engagement or community benefit.

Landscape Sensitivity

A Landscape and Visual Impact Assessment will be required to help assess compatibility with NPF4 Policy 4. Within your assessment you will need to consider sensitive receptors, including those that reside in the area and those who visit it, with receptor locations particularly including areas of settlement, transport routes

and visitor and recreational attractions and routes.

The Council's Onshore Wind Energy Supplementary Guidance (2016) includes a landscape sensitivity appraisal for the Loch Ness study area. Though prepared to guide onshore wind energy development rather than pumped storage hydro, it may nonetheless be of some assistance in identifying sensitivities within the local landscape that are relevant to certain components of the proposals and considerations for aspects of siting, design and layout.

Sustainability

Sustainable Design Guide

The Council's Sustainable Design Guide: Supplementary Guidance provides advice and guidance on a range of sustainability topics, including design, building materials and minimising environmental impacts of development. A Sustainable Design Statement is required.

The Council encourage the inclusion of electric car charging facilities within all new developments. A strategy for the provision of charging points within the development should be submitted with the application.

Climate & Ecological Emergency

The Council recognises the importance of the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, as the legislative tool for addressing Scotland's Climate & Ecological Emergency, which the Council committed to under its own Climate and Ecological Emergency declaration in May 2019.

Furthermore, given Highland's land mass and geography make up and resources, it is accepted that the area has enormous potential to significantly contribute to the production of renewable energy and play a key role in energy storage. However, this commitment has to be taken in balance along with all other considerations of a particular site.

NPF4's strong position of "in principle" support for renewable energy developments, and for energy storage in national development 2 and Policy 11 (and proposed adjusted position on wild land areas, whereby its constraining effect on development would be less extensive), such developments should still be located, sited and designed appropriately and thus comply with the wider development plan policies.

Scottish Government's Draft Energy Strategy and Just Transition Plan (January 2023) sets out actions to ensure that we have a resilient, affordable and secure future energy system. Pumped Hydro Storage is recognised as having an important role in that regard and actions outlined seek to see much more of that delivered https://www.gov.scot/publications/draft-energy-strategy-transition-plan/.

It is appreciated that the proposal would add to the country's installed capacity for energy storage; however, renewable energy developments should still be located, sited and designed appropriately.

Highland Council Decarbonisation Strategy

The Council is currently preparing its Decarbonisation Strategy as part of its ambitions for Net Zero, such as fuel/energy options for its fleet of vehicles, alongside other opportunities. To discuss any opportunities this proposal may bring to the Council strategy, early contact with Neil Osborne, Climate Change Manager (neil.osborne@highland.gov.uk) is advocated.

Decommissioning

While the project will likely seek a consent for a number of years, provisions should be made for decommissioning of the development either if the project is not progressed beyond initial works, is not completed or if the project no longer is viable to operate. An outline decommissioning and restoration plan should accompany the application and any EIA should consider the impact of decommissioning

Natural Heritage

Advice from NatureScot

NatureScot's advice remains the same as provided on the 25 June 2024 in their Scoping Response to Energy Consents Unit. They have therefore only commented on the following issues:

- The impacts on the qualifying interests of River Moriston SAC;
- The impacts on the qualifying interests of Urquhart Bay Woods SAC;
- The impacts on the qualifying interests of the Moray Firth SAC.

Further information on the designated sites below, including their protected features and conservation objectives, can be found on SiteLink, see: https://sitelink.nature.scot/home. The Conservation Advice Package provides the most up to date information on the importance of the site and the conservation objectives against which the proposal will be assessed in a Habitats Regulations Appraisal

The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") apply or, for reserved matters, The Conservation of Habitats and Species Regulations 2017. Further information on the legislative requirements of European sites can be found at: https://www.NatureScot.scot/professional-advice/safeguarding-protected-areas-andspecies/protected-species/legal-framework/habitats-directive-and-habitats-regulations.

As discussed in the meeting and based on the information available to date, NatureScot advise that this proposal may well be unable to meet most or even all of the conservation objectives for River Moriston and therefore has potential to adversely affect site integrity. To comply with the Habitats Regulations, the applicants will have to demonstrate that the proposed development will not adversely affect the integrity of the Special Area of Conservation (SAC).

River Moriston SAC

The River Moriston SAC is designated for Freshwater pearl mussel (FWPM) and Atlantic salmon. Atlantic salmon are also a critical component of FWPM life cycle as host fish. Therefore, impacts on salmon will also have indirect impacts on FWPM and this link needs to be considered in any assessment.

Freshwater mussel populations are vulnerable to changes to water quality (including pollution), hydrological alterations, habitat degradation of riverbeds and banks, illegal pearl fishing and availability of host species.

Atlantic salmon live in both freshwater and marine environments as part of their lifecycle. They hatch and live in freshwater as juveniles and then migrate to sea as adults. After one year or more at sea the adults return to their natal river to spawn. This homing behaviour has resulted in the development of genetically distinct populations of Atlantic salmon between Scottish rivers and several populations may exist within the same river.

As Atlantic salmon migrate up and down stream, any barriers to fish passage on any part of their route, could have significant negative effects. Facilitating the access of Atlantic salmon to all areas of the catchment (including outside the boundary of the SAC) where they could expect to occur naturally is a key objective of the site.

Both qualifying interests are currently in 'unfavourable' condition, with Atlantic salmon known to face significant mortalities both at sea, and during downstream migration including in Loch Ness. At this stage NatureScot advise there is a risk that the impacts of this proposal will not allow the conservation objectives for the features of River Moriston SAC to be met. They advise that the applicant provide sufficient information to assess the effects from all possible impact pathways which include, but are not limited to, the following, which should also be used to inform the assessment of impacts on FWPM:

- Lower water levels in Loch Ness and subsequently in the mouth of River Moriston while the scheme is abstracting water, which may impact FWPM populations in the mouth of the River;
- Salmon may become impinged on the intake screen during periods of abstraction;
- Intake flow attracting downstream migrating salmon smolts;
- Outlet flow attracting adult migrating salmon;
- Increased sedimentation / turbidity (non-toxic) in areas of Loch Ness adjacent to the construction site affecting salmon during the construction phase;
- Risk of toxic contamination in Loch Ness from fuel / chemical leakage/ and concrete spills affecting salmon during the construction phase;
- Risk of noise disturbance to salmon in Loch Ness from heavy machinery, sediment movement, and/or any temporary cofferdam;
- Reduction of water levels in Loch Ness impeding downstream smolt migration;
- Reduced productivity of the littoral zone as a consequence of changes to the water level regime in Loch Ness affecting salmon food supply.

NatyreScot advise that the applicant provides sufficient information to enable an assessment of potential effects of all impact pathways, including any not listed above, on the conservation objectives of both qualifying interests and to demonstrate whether it can be ascertained that there will be no AESI. Assessments should be based on realistic worse case scenarios and include the effects of the scheme (a) alone in the context of the current baseline which includes Foyers PSH and the Caledonian Canal, and, separately, (b) in combination with other proposed developments, including Red John and Kemp pump storage hydro schemes. Any mitigation measures proposed should also be assessed against the conservation objectives.

NatureScot would be happy to advise on draft proposals for the surveys, modelling and assessment approaches that will be required, and also **on a draft shadow Habitats Regulations Appraisal (HRA) for the River Moriston SAC prior to submission**. As little is known about how smolts move within Loch Ness, or key locations and causes of mortality, surveys of the movement of smolts from the River Moriston SAC through Loch Ness may be required.

They consider that this proposal **has potential to adversely affect the integrity of the River Moriston SAC**. If so, Energy Consents Unit would need to consider whether the tests in Regulations 49 and 53 of the Habitats Regulations can be met. NatureScot has no statutory role in advising on whether these further tests are met, but they are happy to advise on sources of guidance, the impacts of alternative solutions on European sites, and any proposed compensation measures. Further information on these legislative requirements for SACs can be found here https://www.nature.scot/professional-advice/planning-and-development/environmental-assessment/habitats-regulations-appraisal-hra/habitats-regulations-appraisal-hra.

Urquhart Bay Woods SAC

Urquhart Bay Woods SAC is designated for alder woodland on floodplains. This habitat of riverine woods often comprises narrow strips or lines of trees due to clearance of woodland along rivers that has removed most of the true alluvial forests, leaving just fragments. Urquhart Bay Woods is one of very few intact floodplain woodlands remaining in the UK. This woodland type typically occurs on moderately base-rich, eutrophic soils subject to periodic inundation. Therefore, any changes in local and catchment hydrology could have significant effects on the site.

There is potential connectivity to the SAC from the Glen Earrach scheme because its operation will result in changes to the water level regime in Loch Ness. However, it does not appear from the information provided in the Scoping Report that impacts on Urquhart Bay Wood SAC will be considered. **NatureScot advise that the applicant provides sufficient information to enable an assessment of potential effects on the conservation objectives of the site and to demonstrate whether it can be ascertained that there is no Adverse Effect on Site Integrity (AESI).**

The assessment should include modelling water levels in Loch Ness for various scenarios of generation and pumping (abstraction) using the most realistic worst-case scenarios. This should be set against the current baseline which includes Foyers PSH and the Caledonian Canal. In addition, modelling and assessment should, separately, consider the effects of the proposal in combination with other proposed developments that could affect water levels, including Red John and Kemp pump storage hydro schemes.

Moray Firth SAC

In the Moray Firth, bottlenose dolphin presence in the summer months coincides with the seasonal migrations of salmonids (Atlantic salmon Salmo salar and sea trout Salmo trutta). Salmonids are known to be important prey for bottlenose dolphins, based on the analysis of stomach contents and direct observations of foraging events. Chanonry Point, downstream from the mouth of the River Ness, is a well-known and monitored foraging area for bottlenose dolphin. Here there have been visual observations of foraging (mainly on salmon) and also passive acoustic monitoring which has recorded foraging buzzes and 'brays'. Bottlenose dolphins can eat a wide range of prey but salmon provide an important component of their diet when they are available. The passive acoustic monitoring in this area identified a large number of bray calls which, to date, have only been associated with salmonid prey. Salmon are a preferred prey because they have a high nutritional and calorific value. The Glen Earrach pumped storage scheme therefore has the potential to impact on the bottlenose dolphin feature through impacts on the numbers of migrating salmon exiting the Ness catchment and also potentially reducing the numbers of returning fish. **Any assessment should consider the same impact pathways for Atlantic salmon as discussed above, given the importance of Atlantic salmon to the bottle-nosed dolphin qualifying interest of the Moray Firth SAC. We will be happy to comment on the applicant's draft HRA for Moray Firth SAC, prior to submission.**

Advice from Landscape Officer

Impact on Landscape

The site lies within the Rocky Moorland Plateau Landscape Character Type which is characterised by a 'patchy texture of small rocky outcrop hills, bogs and lochans in no clear hierarchy of discernible pattern' and the 'Perception of remoteness on the open plateau, from the rugged patchy texture and the absence of

obvious human artefacts. Therefore, the design concept should seek to emulate the characteristics of ruggedness, rocky outcrops and absence of human artefacts.

It is not expected that such a development can be entirely 'disguised', but respectful design will assist in limiting the prominence of the development in the landscape. In particular the outline of the head pond and the character of its embankments should seek to avoid gentle curves and emulate as far as practicable the more complex shapes of water bodies such as Loch ma Stac (234363, 820879) or Loch nan Eun (230991, 820585) for inspiration for the line of the south western embankment.

The Access route proposed comes in through the Wooded Glen – Inverness LCT. In the Highland Council's Onshore Wind Energy Supplementary Guidance, Part 2, this LCT is identified as LN1: Glen Urquhart, Wooded Glen where it is assessed as having some sensitivity to Access Infrastructure and it is noted that such development should be well sited and exploit existing routes. Although not spelled out in the document, the intention of this was to protect wooded areas on the glen side slopes to avoid weakening the Landscape Characteristic of 'Contrast between the settled and farmed floor of lower glens and their open heather moorland and forests of the upper slopes'. The wooded slopes in this area are generally cloaked with Ancient woodland of semi-natural origin.

Little information is available at this stage about the nature of the required level of built structures on the shore of Loch Ness, but any development here should be considered in the context of the Loch Ness and Duntelchaig Special Landscape Area, in particular with regard to the Key Landscape and Visual Characteristic of:

- The horizontal water's surface combines with adjacent steep slopes to create a simple and distinctive profile of contrasting planes and edges.

Visual Impact
Visibility of the development is predicted to be relatively limited with regard to transport routes and residential areas.
Additional viewpoints are requested from:

- The south facing slopes of the Broad Steep-Sided Glen LCT above the A82 immediately west of Urquhart Bay. This is an area of scattered residential housing and smallholdings which are likely to have the most direct views towards the development. Although the IN13.07 Core Path A831 to A833 by Achmony passes through the area it is not predicted to be included in the visibility zone, but the area is also crossed by several claimed Rights of Way. Which would have some potential visibility.
- As previously discussed, a viewpoint from the north western edge of the summit plateau of Meall Fuar-mhonaidh should be included.
- In recognition of the use of Loch Ness by leisure craft and the existence of the Loch Ness Canoe Trail, a suitable location should be selected to represent views of receptors on the water, who will have close views of the outlet and potentially the substation. Photography may be difficult to achieve low on the water, so wireframes will be considered if photography proves impracticable.
- If the substation and outlet are likely to be visible from the A82, suitable locations for viewpoints both north and southbound should be identified.

Overall, detailed attention to design will be important to the experience of the development from people out in the landscape, this should extend to careful consideration of exposed materials, soft landscape mitigation and ongoing maintenance of the appearance of structures.

The visual impact of the proposal will be most prominent during the construction period and until the time that the landscaping proposed to screen and integrate the development into the landscape has matured. Through careful design of the infrastructure there will be opportunity to mitigate visual impacts by design.

Impact and visibility of access tracks in the landscape should be considered, taking into account the excavation and building up of ground required for the access tracks. The route will need to be looked at to reduce the overall impact. The regrading of land and contouring of the land for the tracks should be carefully engineered to mitigate the effects – details should be submitted with the application.

Design for the dams will require comprehensive plans for the landscaping and stone dressing with details of the design options and evolution of this process.

Viewpoints and Photomontages

Photomontages should clearly show the relevant elements of the scheme i.e. impoundment dam/embankment, impounded waterbody, drawdown area, tail pond inlet/outlet, substation, access tracks, borrow pits and downdraw scars. Impoundments can result in variable water levels causing a drawdown scar, which is likely to have increased visibility from a distance, creating a new visual focus in the landscape. Impacts can arise from the direct visual effect of this new feature, or from the perceived effects on wild land quality. Assessment of the landscape and visual impact of the likely drawdown maximum and minimum levels (natural and managed) and the duration of the maximum and minimum levels and the timing (season) should be considered.

Photomontages and design sections should show planting/landscape mitigation proposals at year 1 and year 15.

Visualisations
The proposal will require to be accompanied by suitable visualisations to both Highland Council Standards and NatureScot Guidance. These should include visuals for when the scheme is complete, and the landscaping matured and for interim periods throughout construction and establishment of the landscaping to consider the worst case scenario.

Advice from Forestry Officer
Impact on Trees
No comments have been received from Highland Council's Historic Environment Team.

Advice from SEPA
SEPA welcomes pre-application engagement, but please be aware that SEPA's advice at this stage is based on emerging proposals and it cannot rule out potential further information requests as the project develops. Similarly, its advice is given without prejudice to their formal planning response, or any decision made on elements of the proposal regulated by SEPA, which may take into account factors not considered at the pre-application or planning stage.

SEPA would very much welcome further early engagement with the developer as the project develops and more information is known about the layout. SEPA encourages the developer to keep in contact via planning.north@sepa.org.uk, SEPA would especially welcome the opportunity to provide advice on a draft layout once peat probing and habitat survey has been carried out and when more is known about supporting infrastructure.

SEPA has recently provided a response to the EIA scoping consultation exercise which is available from the ECU website (a word copy can be provided on request). In this case SEPA has no further site specific comments to make at this stage.

Ecology
Whilst no further comments were received from Highland Council's Ecology the following guide gives an overview of their likely requirements:
A full assessment of the ecology of the site and a suitable buffer around the site needs to be undertaken to determine if there are any ecological/environmental constraints associated with the proposed development.

The assessment should include (but not be limited to):

- Desk study records, from NatureScot Sitelink, the NBN atlas and local biodiversity record groups;
- Specific surveys of the site to identify any protected species, priority habitats and priority species, including those listed within the Highland Nature Biodiversity Action Plan to fulfil Policies 57-60 of the Highland Wide Local Development Plan;
- Assessment of ecological effects; and
- Relevant mitigation and compensation measures.

Surveys should be undertaken by a suitably qualified and experienced Ecologist. NaturesScot's guidance on surveying protected species should be followed: https://www.nature.scot/professional-advice/planning-and-development/planning-and-development- advice/planning-and-development-protected-species.
Policies 57-60 of the Highland Wide Local Development Plan (HwLDP) pertain to the protection of certain species and habitats within the Highland region that must be considered for any developments: https://www.highland.gov.uk/info/178/development_plans/199/highlandwide_local_development_plan.
The Highland Nature biodiversity Action Plan (HNBAP) lists priority species and habitats that are considered

to be important within the Highland region. These priority species and habitats must be given consideration for any developments: https://www.highlandenvironmentforum.info/biodiversity/action-plan/.

Environmental Enhancement
The proposed development will need to accord with the policies of NPF4 including Policy 3, which requires that all developments must deliver not just ecological mitigation and compensation but also biodiversity enhancement of the site. As this is a Major development, Policy 3b is applicable to this development.

In order to satisfy Policy 3b a Biodiversity Enhancement and Management Plan that details how criteria i to v will be met, will be required in addition to the EIA/EcIA. This will demonstrate that the development will significantly enhance the biodiversity of the site, from its pre-development state. Where the Biodiversity Enhancement and Management Plan is unable to demonstrate to the satisfaction of the planning authority that the development will conserve, restore and enhance biodiversity, the proposal will not be supported.
The Biodiversity Enhancement and Management Plan must demonstrate to the satisfaction of the planning authority that the development will accord with Policies 57-60 of the HwLDP.

The Biodiversity Enhancement and Management Plan will be carried out by a suitably qualified and experienced consultant and will include a Biodiversity Net Gain Metric (BNG) and demonstrate a minimum of a 10% increase of the biodiversity of the site post construction. It is recommended that the English Nature BNG Metric is used to determine the biodiversity enhancement, and this should be included within the planning application.

In rare cases where site constraints result in the applicant being unable to deliver one or more of the above criteria, consideration may be given to developer contributions as to enable biodiversity enhancements to be implemented elsewhere in line with the mitigation hierarchy to allow offset, off-site measures.

Design

Design Quality and Placemaking
The Design Quality and Place Making policy (policy 29) in the HwLDP requires new development to be designed to make a positive contribution to the architectural and visual quality of the area. Furthermore, development proposals must demonstrate sensitivity and respect towards the local distinctiveness of the landscape, architecture, design and layouts of their proposals.

Careful consideration should be given to the need for, alignment and finish of any track. Details of groundworks associated with all infrastructure is required. Clear information needs to be provided on the phasing of the works; a series of plans showing exploratory works, enabling works and final construction works would be very helpful.

NatureScot note from other schemes of this nature that the grid connection and spoil from tunnel operations can have the potential to raise further impacts that may be insurmountable. Therefore, NatureScot advise that detail of the grid connection and spoil management is fully detailed in any application going forward. Clear information needs to be provided on the phasing of the works; a series of plans showing exploratory works, enabling works (including road improvements) and final construction works.

Design
The site benefits from a location tucked under the steep north west slopes of Meall Fuar-mhonaidh on the side of Loch Ness, but will require extensive excavation and construction work along with construction of some facility on the south west shore of Loch Ness.

Visibility of Loch ness from the A82 is often limited, applicants should explore whether there is any scope for strategic opening up of views to the loch in the vicinity of their shore works, where this would not adversely affect slope stability or integrity of existing habitats etc.

Design and Access Statement
The Design and Access Statement should outline the design principles and concepts that have been applied to the development and:

(i) explain the policy or approach adopted as to design and how any policies relating to design in the development plan have been taken into account.
(ii) describe the steps taken to appraise the context of the development and demonstrates how the

design of the development takes that context into account in relation to its proposed use.

(iii) state what, if any, consultation has been undertaken on issues relating to the design principles and concepts that have been applied to the development; and what account has been taken of the outcome of any such consultation.

Further advice on the preparation of design statements is contained in the Council's advice note on Design and Access Statements and Scottish Government Planning Advice Note 68.

Amenity

Advice from Environmental Health Team

Whilst Highland Council's Environmental Health Team have no additional comments beyond their consultation response to 24/02045/SCOP the following general details are applicable to the proposed development.

Noise Impacts – Operational

The applicant will be required to submit, a Noise Impact Assessment carried out by a suitably qualified and competent person which assesses the likely impact of operational noise emanating from the development on neighbouring properties. The assessment should include but is not limited to the following:

1) A description of the proposed development in terms of noise sources and the proposed locations and operating times of the same.
2) A detailed plan showing the location of noise sources, noise sensitive premises and survey measurement locations.*
3) 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.
4) A survey of current ambient (LAeq) and background (LA90) noise levels at appropriate locations neighbouring the proposed site.
5) A prediction of noise levels resultant at neighbouring noise sensitive premises, for the operational phase of the proposed development. The raw data and equations used in the calculations should be made available on request.
6) An assessment of the predicted noise levels in comparison with relevant standards.*

*Relevant standards and monitoring locations must be agreed beforehand with the Council's Environmental Health Officer.

Noise Impacts – Construction

Planning conditions are not 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. Generally, people are tolerant of construction noise during typical working hours which are taken to be 8am to 7pm Monday to Friday and 8am to 1pm on Saturdays. Works for which noise is inaudible at the curtilage of any noise sensitive property could still be carried out out-with these times.

If the applicant intends to undertake noisy work out-with the aforementioned times, they will be required to submit a detailed construction noise assessment for the written approval of the planning authority. For the avoidance of doubt, this would include any proposal to run compound generators overnight for the purposes of lighting or drying of PPE etc. The assessment should include: -

1) A description of construction activities with reference to noise generating plant and equipment.
2) A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations.
3) A description of any noise mitigation methods that will be employed and the predicted effect of said methods on noise levels.
4) A prediction of noise levels resultant at the curtilage of noise sensitive receptors.
5) An assessment of the predicted noise levels in comparison with relevant standards.

Regardless of whether a construction noise assessment is required, it is expected that the developer/contractor will employ the best practicable means to reduce the impact of noise from construction activities. The applicant will be required to submit a scheme demonstrating how this will be implemented.

Dust

Any application should be accompanied by a scheme for the suppression of dust during construction, for the approval of the planning authority.

Pollution Prevention

The application should include a schedule of mitigation and commitment to employ an Ecological Clerk of Works.

Private Water Supplies
Excavations and other construction works can disrupt groundwater flow and impact on existing groundwater abstractions. The submission must include:

a) A map demonstrating that all existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. SEPA are likely to seek conditions securing appropriate mitigation for all existing groundwater abstractions affected.

SEPA refer to Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for further advice on the minimum information they require to be submitted.

Borrow Pits
Information should be provided on the proposed location, dimensions and restoration proposals for borrow pits.

Workers Camp
Details of the form and location for the accommodation of construction workers would be helpful in the application.

Lighting
Should there be a requirement for external lighting of the proposed development the effects from lighting should be fully considered given the predicted visibility of the proposal from the surrounding area and the high sensitivity of to the effects of lighting. Night time visualisations and the cumulative effects of lighting may also be required in support of a future application.

Advice from Contaminated Land Team
Highland Council's Contaminated Land Team have reviewed their database, historical Ordnance Survey maps and aerial photos and here does not appear to be a potential source of contamination on site. Therefore, further information is not required to support the application.

Transport and Wider Access

Advice from Transport Planning Team
Impact on the Local Road Network
Having reviewed the information provided, the Transport Planning Team believe that their comments previously provided for the EIA Scoping (24/02045/SCOP) are still relevant and should be followed in support of any application made for planning permission.

Advice from Transport Scotland
Impact on the Trunk Road Network
The proposed development comprises a pumped storage hydro project with a capacity of up to 2000MW located at Loch nam Breac Dearga, south of Drumnadrochit and approximately 2.5km northwest of the A82(T) on the western shore of Loch Ness. Options for access to the site are identified as being the A82(T) via Grotaig, the A82(T) via Alltsigh or A831 via Balnain.

Information supporting the preapp indicates that a Construction Traffic Management Plan will be prepared in consultation with Transport Scotland, THC, Police Scotland and other stakeholders. In addition, AIL assessment, condition surveys and traffic management will be provided. Transport Scotland welcomes these and would add that forecast HGV movements using any trunk road junctions should be explicitly identified, with the impact of both general construction traffic and abnormal loads being quantified and mitigated as appropriate.

They would also state that the thresholds as indicated within the Institute of Environmental Management and Assessment (IEMA) Guidelines entitled Environmental Assessment of Traffic and Movement (July 2023) should be used as a screening process for a transport assessment. This should determine whether

there are likely to be any significant environmental issues associated with increased traffic on the trunk road network, and any requirement for further trunk road assessment. The study area for the assessment should encompass both the AIL route and the proposed routes for construction traffic.

The information supporting the preapp indicates that the headpond will utilise the existing Loch nam Breac Dearga with the tailpond within Loch Ness, abstracting and discharging water from and to Loch Ness. This results in the need to cross the A82(T). Transport Scotland would state that any proposed changes to the trunk road network must be discussed and approved (via a technical approval process) by the appropriate Area Manager, who in this instance is David Devine who can be contacted at david.devine@transport.gov.scot.

In the absence of more detailed information, Transport Scotland has no further comment to make..

Advice from Access Officer
DMRB may be an appropriate tool for assessing a transport project's impact on public access and active travel, it may even have a role here on assessing the roads elements of this proposal on those features, but it is an inappropriate tool for assessing the project's impact on public access. The tool for that is in NatureScot's Handbook on Environmental Impact Assessment.

Failure to use that process risks ignoring one or more of the many elements of public access potentially affected by this proposal during site investigation, preparation, construction and operational phases.

That will be compounded if the applicant fails to adequately assess established and new patterns of public access across the site. Strava's Global Heatmap and Ramblers Scotland's Scottish Paths Map should help along with hard and online walking, cycling and watersports guides.

A comprehensive assessment of the impacts and their mitigation should form the basis on an Outdoor Access Plan, a draft of which should be submitted with an application in line with Policy 77 of the Highland wide Local Development Plan.

That assessment will include the Afric Kintail Way, Great Glen Way and Great Glen Canoe Trail; long distance routes covered by Policy 78 in that same plan.

Since recorded public rights of way are lilkely to be affected the Countryside (Scotland) Act 1967 should also be included in any list of relevant legislation.

Advice from Public Transport
No comments from Highland Council's Public Transport Team.

Water Environment

Advice from Flood Risk Management Team
Flood Risk
There are a number of watercourses present within, or adjacent to, the application site boundary. This type of development is considered both 'Essential Infrastructure' and 'Water Compatible' under SEPA's 'Flood Risk and Land Use Vulnerability Guidance'. The development can therefore be located in areas at risk of flooding as long as it is designed to remain operational (i.e. will not be adversely affected) during flood events and does not increase flood risk to others.

A Flood Risk Assessment should be submitted to demonstrate that the development will remain operational during flood events and will not increase flood risk elsewhere. A key element of the FRA will be an assessment of the flood risk impacts of the scheme when in operation, both on its own and in combination with other hydroelectric schemes, existing and proposed, that feed into Loch Ness. As with other schemes operating into Loch Ness, it is likely that a 'stop generating/curtailment' Loch Level will be required to ensure that flood risk is not increased downstream. This will need to be explored in the FRA. SEPA's Technical Flood Risk Guidance for Stakeholders outlines the information required to be submitted as part of a Flood Risk Assessment.

Any new small watercourse crossings for access tracks should be oversized and larger scale watercourse crossings should be demonstrated to be adequately designed to accommodate the 1 in 200 year flow (including an allowance for climate change and freeboard) to avoid increasing the risk of flooding, or

information provided to justify smaller structures.

Further advice and SEPA's best practice guidance are available within the water engineering section of SEPA's website https://www.sepa.org.uk/regulations/water/engineering/.

Guidance on the design of water crossings can be found in Construction of River Crossings Good Practice Guide http://www.sepa.org.uk/media/151036/wat-sg-25.pdf.

Water
Development or landraising within any flood plain should be avoided and proposals should generally follow SEPA's Standing Advice for Flood Risk. Should any permanent infrastructure be located within close proximity to a watercourse a Flood Risk Assessment should be submitted to demonstrate that the development is not at risk from flooding and will not increase flood risk elsewhere. SEPA's Technical flood risk guidance for stakeholders outlines the information require to be submitted as part of a Flood Risk Assessment: https://www.sepa.org.uk/media/162602/ss-nfr-p-002-technical-flood-risk-guidance-for-stakeholders.pdf.

Small watercourse crossings should be oversized and larger scale watercourse crossings should be demonstrated to be adequately designed to accommodate the 1 in 200 year flow (including an allowance for climate change and freeboard) to avoid increasing the risk of flooding. Further information must be provided to justify any smaller structures.

A minimum buffer strip of 50m should be kept free from development from the top of bank(s) of any watercourse or waterbody. Storage of materials within this area during construction is not permitted.

Further advice and SEPA's best practice guidance is available within the water engineering section of SEPA's website: https://www.sepa.org.uk/regulations/water/engineering/.

Guidance on the design of water crossings can be found in Construction of River Crossings Good Practice Guide: http://www.sepa.org.uk/media/151036/wat-sg-25.pdf.

Drainage
A Drainage Impact Assessment (DIA) for the development is required. The DIA should include details relating to any existing drainage and the management of surface water drainage, which should be designed in line with general Sustainable Drainage Systems (SuDS) principles. The Applicant should demonstrate, within the proposals submitted, any mitigation measures to manage the residual risk of overland flow/pluvial flooding.

Natural flood management techniques should also be applied to reduce the rate of runoff where possible. Tracks should not act as preferential pathways for runoff and efforts should be made to retain the existing drainage network. Appropriate drainage is required to restrict runoff to pre-development rates and to minimise erosion to existing watercourses. The DIA should ensure that post development runoff rate is no greater than pre-development runoff rate (i.e. greenfield runoff) for a range of return periods (e.g. 2, 30 and 200 year) up to the 1 in 200 year event including an allowance for climate change.

Runoff from all events up to and including the 1 in 200 year plus climate change event should be managed within the site boundary, with no flooding to critical roads or buildings, and evidence as to how this will be achieved should be included within the DIA.

Refer to the Council's Flood Risk and Drainage Impact: Supplementary Guidance for further detailed requirements:
https://www.highland.gov.uk/downloads/file/2954/flood_risk_and_drainage_impact_assessment_supplementary_guidance.

Built and Cultural Heritage

Advice from Historic Environment Scotland
Impact on the Historic Environment
Historic Environment Scotland has reviewed the information in terms of their historic environment interests. This covers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine

protected areas (HMPAs).

HES has also received the scoping consultation of this proposed development from Energy Consents Unit on 15 May 2024 and has provided response on 6 June 2024.

HES noted that the red line boundary indicated in Figure 1-1 of the scoping report attached is different from the "scoping red line boundary" indicated in the location plan (Sheet no. GE-ACM-R1- 00-SK-CE-1001) attached and it would be helpful if the applicant can clarify this.

HES understands that the proposed development comprises a pumped storage hydro scheme with an indicative installed electrical generation capacity of up to 2,000MW on the north-western side of Loch Ness. HES understands that the key components of the proposed development include:

- the Headpond Reservoir and Embankment, with Embankment 1 having a height of 72m (i.e. 523m AOD);
- access tracks, including three options identified for site access, which would involve upgrading of existing track and construction of new track;
- 13 construction compounds, including 9 compounds which would be retained for the full operational period of the proposed development for housing several infrastructures;
- the Power Cavern; and
- tunnels and waterways.

The applicant is recommended to undertake further preapplication engagement with HES as the design of the proposed development progresses.

HES can confirm that there are no category A-listed buildings, inventory battlefields, gardens and designed landscapes or world heritage sites within the red line boundary indicated in the scoping report.

Potential physical impacts
A scheduled monument, Dun Scriben, fort (SM6220), falls within the red line boundary indicated in the scoping report, with the proposed improvements to an existing access track locating c. 100m to the east. Further details are required regarding the potential creation of this access track and the potential for direct and/or indirect physical impacts to arise from its formation on this scheduled monument.

Significant further consideration will also be required in order to determine the likely extent of indirect physical impacts on Cherry Island crannog, Inchnacardoch Bay, Loch Ness (SM9762) and Urquhart Castle (SM90309) from the potential fluctuation in water levels in Loch Ness caused by the proposed development.

Works affecting water levels around scheduled monuments also legally require Scheduled Monument Consent (SMC), obtained through HES, beforehand.

Potential impacts on the setting of assets
From the information currently available, the proposed development has the potential to adversely impact the settings of Dun Scriben, fort (SM6220) and Dun Deardail, Forts 410m and 520m ENE of Fasnagruig (SM11884). However, HES note that not all elements of the proposed development have been accounted for in the initial Zone of Theoretical Visibility (ZTV) in Figure 5-1 of the scoping report, such as the access tracks, buildings within compounds or tunnel portal structures. HES considers that a bare-earth ZTV taking into account all built elements of the proposed development should be produced. The list of assets highlighted herewith is therefore not considered to be exhaustive.

<u>Dun Scriben, fort (SM6220)</u>
This scheduled monument consists of a prehistoric fort located on a flat-topped knoll. Situated upon a high point, the fort would have been positioned to take advantage of commanding views to the northeast and southwest along Loch Ness as well as along the high but shallow valley of the Grotaig burn between the hills of Meall Fuar Mhonaidh and Creag Dhearg. Bare-earth wireframe would be required at this stage to demonstrate the potential impact of new access tracks and any other above-ground infrastructure in views from the monument toward Meall Fuar-Mhonaidh.

<u>Dun Deardail, Forts 410m and 520m ENE of Fasnagruig (SM11884)</u>
This scheduling applies to two Iron Age forts and associated outworks overlooking Inverfarigaig Bridge and

Loch Ness. They were deliberately positioned to take advantage of views to the southwest and northeast along Loch Ness and potentially to control movement from Loch Ness to the east through the Pass of Inverfarigaig. The monuments are intervisible with Dun Scriben, fort (SM6220), as well as *Urquhart Castle* (SM90309), on Strone Point, which was preceded by an earlier fort dating to at least the 1st millennium AD.

A photomontage visualisation is required to demonstrate the potential setting impact on the monuments from any tailrace/outfall infrastructure on the northwest shore of Loch Ness as well as the potential setting impact from other above-ground infrastructure, including access tracks, compounds and buildings within them, and tunnel portal structures, which may appear in views toward and in the background of Dun Scriben, fort (SM6220) from the two forts.

Advice from Historic Environment Team
Impact on the Historic Environment
No comments have been received from Highland Council's Historic Environment Team.

Other Comments

None

Developer Contributions

The Council's Developer Contributions Supplementary Guidance will be used in the determination of planning applications and requires all development, including single house developments, make proportionate financial developer contributions towards meeting service and infrastructure needs in areas of Highland where clear deficiencies are identified. For the proposed development, the anticipated developer contribution requirements are outlined below. Please note that requirements can change over time and the exact amount payable will be confirmed at the point that a planning application is determined.

Industrial (including energy) developments are exempt from education, community facilities and affordable housing contributions. However, contributions towards Transport (including Active Travel), Green Infrastructure, Water & Waste and Public Art/Realm contributions in compliance with **NPF4 Policy 18** (Infrastructure first), **HwLDP Policy 31 (Developer Contributions)** and **Developer Contributions Supplementary Guidance (2018)** may be required. Full consideration of which would be undertaken as part of the detailed proposal.

Community Benefit
Whilst Community Benefit is a separate issue to planning, the Council wants to make sure that local communities benefit directly from the use of their local resources and are compensated for the disruption and inconvenience associated with large scale development work.

The Council's Social Values Charter for Renewables Investment was agreed by the Highland Council at its meeting on 27June 2024 (see item 10). This sets out a 9-point plan articulating the expectations of the Highland area for any renewables and green energy developments.

The Council's Community Benefit policy also provides useful information.

Community Wealth Building
While NPF4 considers national developments as a focus for delivery, they should also be exemplars of the community wealth building approach to economic development.

The intent of NPF4 Policy 25: Community Wealth Building is to encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels. NPF4 Policy 25 supports the following proposals:

- Development proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported. This could include for example 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.

- Development proposals linked to community ownership and management of land will be supported,

The Highland Council's draft Community Wealth Building Strategy 2024-2027 was approved for wider consultation by the Full Council on 14 March 2024. It has now been developed which sets out a 3-year vision for taking forward and embedding Community Wealth Building principles within Council services and enabling the approach across our communities. A public consultation was launched, inviting individuals and stakeholders to help refine the strategy and shape the supporting action plan. The public consultation ran from the 29th of May to 23rd of August. The updated strategy and draft action plan will be presented to the Full Council for consideration in September 2024

https://www.highland.gov.uk/news/article/16090/draft_community_wealth_building_strategy_%E2%80%93_your_chance_to_have_your_say

Local Place Plans
A Local Place Plan is a community-led document that aims to easily convey a community's proposals for the development or use of land and buildings in their local area.

A number of community bodies in Highland have prepared or are preparing Local Place Plans, and this includes some for, or in the vicinity of, the area in which the proposed site is located. Further information is available on the Council's webpage: www.highland.gov.uk/localplaceplans and on our Local Place Plan Register: https://www.highland.gov.uk/info/178/development_plans/1043/local_place_plans/5 .

Local Place Plans registered by The Highland Council will be taken into account in preparing the Local Development Plan and can be a material consideration when planning applications are being considered by our Planning Authority.

Pre-Application Procedures

Proposal of Application Notice
The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 require that for any major development pre-application consultation must be undertaken. This requires a formal Proposal of Application Notice to be submitted to the Planning Authority at least 12 weeks prior to any formal planning application being lodged and any subsequent planning application must be accompanied by a Pre-application Community Consultation report. Further information is provided on the Council website, please see the Proposal of Application Notice section here

Public Consultation
Public consultation should be undertaken as the proposals develop to help both gauging the opinion of the local community and also scoping potential areas of conflict which could be addressed prior to submission of the application.

When carrying out community consultation we recommend that full consideration is taken of Scottish Government Planning Advice Note 3/2010 - Community Engagement. This includes the standards for community involvement which should be adhered to. These standards are:

- Involvement
- Support
- Planning
- Methods
- Working together
- Sharing information
- Working with others
- Improvement
- Feedback
- Monitoring and evaluation

It is advisable to take into consideration all of the comments made by members of the public before a planning application is submitted to ensure that the public feel they have had an influence over the proposals. For public consultation it may be useful to use the SP=EED tool developed by Planning Aid Scotland. This builds on the Standards for Community Engagement set out in PAN 3/2010. This is available online at https://www.pas.org.uk/.

Environmental Impact Assessment Screening
The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 requires the proposal be screened to determine whether an Environmental Impact Assessment (EIA) is required to support a planning application. This proposal is therefore required to be screened. A formal request for a Screening Opinion/s should be made in writing to the Planning Authority. An EIA Screening Opinion form can be downloaded from the Councils website here. At present it is not possible to do this online.

Community Councils
In terms of the appropriate Community Councils to consult, the proposal is located within the Glenurquhart Community Council area. A development of the nature proposed may affect a number of adjacent Community Councils, as such it is recommended that adjacent Community Councils are also consulted. The Ward Manager Charles Stephen can provide advice further in this regard if required. Contact details for all community Councils can be found here.

Access
It would be beneficial to at this stage consult with the local Disability Access Panel. The contact details for your local panel are:

- Inverness Access Committee, c/o Shopmobility, Falcon Gallery Car Park, Inverness, IV2 3PR

For general advice in relation to the removal of barriers and the promotion of equal access for all people affected by disability for your development contact the Scottish Disability Equality Forum, 12 Enterprise House, Springkerse Business Park, Stirling, FK7 7UF. Telephone: (01786) 446456.

Application Procedures

Design Workshop
This looks at matters of Landscape and Visual Impact in more detail. This is a solutions based workshop and it is best undertaken when (or just before) you reach design stage. We will spend up to 2 hours with you. Utilising wirelines and, where appropriate, photomontages prepared by your landscape consultants we will consider what the key design viewpoints are, whether it meets with the design rationale for development in the area and what if any further design changes are potentially required. The fee for this service can be found at Planning and building standards fees | Planning and building standards fees | The Highland Council.

Priority Determination
Service Further to our discussions, the Council offer a Priority Determination Service. We enter specific processing agreements and guarantee determination timescales with the applicant on the basis of the following:

- all information is provided to our relevant standards/guidance.
- Our pre-application advice service is used to discuss the pertinent matters related to the determination of the application;
- engagement with consultees is held following receipt of the pre-application advice to ensure that the matters raised have been satisfactorily addressed; and
- use of our design workshop service;
- a gatecheck is undertaken prior to submission of the application. This would be based upon the preapplication advice received and any further requirements set out in the Scoping response.

The guaranteed date is subject to agreement and no fundamental matters being raised through consultation responses/public comments. It is important to note that this service is related to determination of the application and does not pre-judge the response / decision of the Planning Authority.

Processing Agreements
A processing agreement is a way of helping developers, the Council and relevant stakeholders work together through the planning process. It involves setting out the key stages involved in deciding a planning application, identifying what information is required from whom and setting time scales for the various stages of the process.

The Council actively encourages the use of processing agreements for major applications. You are advised to contact the Council's Major Application Team with a view to agreeing a Processing Agreement at the earliest possible opportunity. Contact details are provided in section 18 towards the end of this pack.

Satisfaction of Conditions
We also have our Satisfaction of Conditions Service where we work with you post consent to satisfy conditions based on similar principles to our Priority Determination Service. Information on that is available on our website: Satisfaction and discharge of conditions | Major Developments | The Highland Council.

Councillors Code of Conduct
It would be beneficial for you to be familiar with the Councillors' Code of Conduct. This is available online at the Standards Commission for Scotland website.

Scheme of Delegation
All applications will be determined in line with the Council's Scheme of Delegation. It would be beneficial for you to familiarise yourself with the scheme. This is available online.

Any Other Appropriate Information

Gaelic
In line with the Council's ongoing commitment to promote the increased use of Gaelic in developments within the Highlands, you are encouraged to consider the use of bilingual signs - both internal and external - as part of your proposal. Our Gaelic Translation Officers are able to provide additional advice and help with translations, if required.

For further information and guidance, please contact gaelic@highland.gov.uk

To download a copy of the Council's 'Using Gaelic in Signs' advice note, please visit: https://www.highland.gov.uk/downloads/file/11857/guidelines_on_the_use_of_gaelic_in_highland_council_services

For details on grant funding for bilingual signage, please contact Comunn na Gàidhlig on (01463) 724287 or visit www.cnag.org.

Contacts	
Roddy Dowell - Case Officer	roddy.dowell@highland.gov.uk
David Mudie - Area Planning Manager South	David.Mudie@highland.gov.uk
Public Transport – David Summers	David.Summers@highland.gov.uk
Contaminated Land – Esther MacRae	esther.macrae@highland.gov.uk
Development Plans – David Cowie	david.cowie@highland.gov.uk
Landscape Officer – Anne Cowling	anne.cowling@highland.gov.uk
Transport Planning – Mark Clough	mark.clough@highland.gov.uk
Environmental Health – Robin Fraser	Robin.Fraser@highland.gov.uk
Access Officer – Stewart Eastaugh	Stewart.Eastaugh@highland.gov.uk
Flood Risk Management – Richard Bryan	FRM@highland.gov.uk
SEPA – Susan Haslam	Susan.Haslam@sepa.org.uk
Historic Environment Scotland – Adrian Lee	adrian.lee@hes.scot
Transport Scotland – George Smith	george.smith@transport.gov.scot

Disclaimer

This advice is based on the information submitted and is given without prejudice to the future consideration of and decision on any application received by The Highland Council.

Pre-application case files are not publicly available but can be the subject of Freedom of Information and Environmental Information Regulations requests.

Useful Weblinks

The Highland Council Development Plans
https://www.highland.gov.uk/info/178/local_and_statutory_development_plans

Highland Council Supplementary and Development Guidance Listed by Category:
https://www.highland.gov.uk/directory/52/development_guidance

Siting and Design Quality:
THC Sustainable Design Guide
https://www.highland.gov.uk/directory_record/683409/sustainable_design

Roads/Access and Transport
More information on access and parking standards (incl. small housing developments) can be found at:
https://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/4

Access Panel
The Council encourages applicants at pre-application stage to engage with the local Disability Access Panel to consider accessibility improvements for physically disabled and sensory impaired people. The Highland Council have published a Planning Protocol for Effective Engagement with Access Panels, which you should take into consideration

Access Panels Contact Info-
https://www.highland.gov.uk/info/751/equality_diversity_and_citizenship/326/equality_and_diversity_contacts/4

Scottish Government
Scottish Government Building, Planning and Design Pages
https://www.gov.scot/building-planning-and-design/

Scottish Government Planning and Architecture Guidance
https://www.gov.scot/policies/planning-architecture/planning-guidance/

Scottish Planning Policy
https://www.gov.scot/publications/scottish-planning-policy/

Scottish Water
Contact Scottish Water for guidance on connections to the public water/drainage network:
https://www.scottishwater.co.uk/en/Business-and-Developers/Connecting-to-Our-Network/Pre-Development-Information/Planning-Your-Development

SEPA
You can find more information on SUDS at: https://www.sepa.org.uk/regulations/water/diffuse-pollution/diffuse-pollution-in-the-urban-environment/

You can view SEPA's small-scale developments guidance here:
https://www.sepa.org.uk/regulations/water/small-scale-sewage-discharges/

You can view SEPA's flood risk map here: https://www.sepa.org.uk/environment/water/flooding/flood-maps/

CAR Licensing - https://www.sepa.org.uk/media/34761/car_a_practical_guide.pdf

Historic Environment

The Highland Historic Environment Record (HER) contains detailed information about listed buildings, conservation areas and archaeological sites in the Highland area:
http://her.highland.gov.uk

General advice on development affecting historic designations can be found at:
https://www.historicenvironment.scot/advice-and-support/

Protected Species -SNH

More information on Scotland's protected species and areas can be found at:
https://www.nature.scot/professional-advice/safeguarding-protected-areas-and-species/protected-species

https://www.nature.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers/planning-and-development-protected-areas

Trees and Woodland

The Scottish Government's woodland strategy and associated polices can be found here:
https://forestry.gov.scot/support-regulations/control-of-woodland-removal

The Council's guidance on tree/woodland issues can be found here:
http://www.highland.gov.uk/info/1225/countryside_farming_and_wildlife/63/trees_and_forestry/

Scottish Government
Riaghaltas na h-Alba
gov.scot

The Scottish Government

Energy Consents Unit

Scoping Opinion on Behalf of Scottish Ministers Under The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

Glen Earrach Pumped Storage Hydro

AECOM
On Behalf of Glen Earrach Energy Ltd

December 2024

CONTENTS

1. Introduction

1.1. This scoping opinion is issued by the Scottish Government Energy Consents Unit on behalf of the Scottish Ministers to AECOM on behalf of Glen Earrach Energy Limited a company incorporated under the Companies Act with company number SC777268 ("the Company") and having its registered office at 50 Lothian Road, Festival Square, Edinburgh, Scotland, EH3 9WJ in response to a request dated 26 April 2024 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Glen Earrach Pumped Storage Hydro ("the proposed development"). The request was accompanied by a scoping report.

1.2. The proposed development would be located on the Northwest side of Loch Ness, approximately 9.5 km to the south of Drumnadrochit, and 6.5 km north of Invermoriston within The Highland Council administration region. Headpond NGR - NH 45223 22331, Tailpond NGR - NH 54114 28417.

1.3. The proposed development would consist of a storage capacity of up to 30,000 megawatt hours (MWh) with up to 2,000 MW installed electrical generation capacity (subject to further investigation and feasibility works), with a gross head (vertical distance between upper and lower loch) of close to 500m.

1.4. The principal components of the Proposed Development and ancillary infrastructure would be:

- A headpond at Loch nam Breac Dearga, including embankment(s) or dams, a reservoir with a working volume of water up to 27 Mm;
- inlet / outlet;
- A Tailpond – the lower reservoir, which in this case would be the existing water body of Loch Ness;
- a low-pressure high-level tunnel;
- a low-pressure low-level tunnel;
- a power cavern;
- a cable tunnel;
- an access tunnel;
- a sub / switching station;
- a spillway / spillway channel;
- surge shaft(s);
- access tracks;
- compounds; and
- temporary accommodation.

1.5. The Company indicates the proposed development has an operational lifetime of around 80 years, it is expected that the civil works (tunnels and embankments) will last for up to 100 years. The Company indicates that at the end of its operational life, the development would either be refurbished, or decommissioned.

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

2. Consultation

2.1. Following the scoping opinion request a list of consultees was agreed between AECOM (acting as the Company's agent) and the Energy Consents Unit. A consultation on the scoping report was undertaken by the Scottish Ministers and this commenced on 15 May 2024. The consultation closed on 06 June 2024. The Scottish Ministers also requested responses from their internal advisor Transport Scotland. All consultation responses received are attached in ***ANNEX B Consultation responses***.

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

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

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

- BEAR Scotland
- Beastie Boats
- Civil Aviation Authority
- Communities Inshore Fisheries Alliance
- Cruise Loch Ness
- Defence Infrastructure Organisation
- Fisheries Management Scotland
- Fort Augustus and Glenmoriston Community Council
- John Muir Trust
- Loch Ness by Jacobite
- Mountaineering Scotland
- National Grid
- Ness and Beauly Fisheries Trust
- Scottish & Southern Electricity Networks (SSE)
- Scottish Canals 2 - Caledonian Canal
- Scottish Canoe Association
- Scottish Fishermen's Federation
- Scottish Fishermen's Organisation
- Scottish Forestry
- Scottish Wild Land Group
- Scottish Wildlife Trust

- The Loch Ness Centre
- Visit Scotland

2.5. With regard to those consultees who did not respond, it is assumed that they have no comment to make on the scoping report, however each would be consulted again in the event that an application for section 36 consent is submitted subsequent to this EIA scoping opinion.

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

3. The Scoping Opinion

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

3.2. Scottish Ministers adopt this scoping opinion having taken into account the information provided by the applicant in its request dated 26 April 2024 in respect of the specific characteristics of the proposed development and responses received to the consultation undertaken. In providing this scoping opinion, the Scottish Ministers have had regard to current knowledge and methods of assessment; have taken into account the specific characteristics of the proposed development, the specific characteristics of that type of development and the environmental features likely to be affected.

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

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

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

3.6. In addition to the consultation responses, Ministers wish to provide comments with regards to the scope of the EIA report.

The Company should note and address each of the following matters:

3.7. Scottish Water provided information on whether there are any drinking water

protected areas or Scottish Water assets on which the development could have any significant effect. Scottish Ministers request that the company contacts Scottish Water (via EIA@scottishwater.co.uk) and makes further enquires to confirm whether there any Scottish Water assets which may be affected by the development, and includes details in the EIA report of any relevant mitigation measures to be provided.

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

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

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

3.11. Scottish Ministers consider that where there is a demonstrable requirement for peat landslide hazard and risk assessment (PLHRA), the assessment should be undertaken as part of the EIA process to provide Ministers with a clear understanding of whether the risks are acceptable and capable of being controlled by mitigation measures.

3.12. The Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments (Second Edition), published at http://www.gov.scot/Publications/2017/04/8868, should be followed in the preparation of the EIA report, which should contain such an assessment and details of mitigation measures. Where a PLHRA is not required clear justification for not carrying out such a risk assessment is required.

3.13. The scoping report identified that a landscape and visual impact assessment will be undertaken for the proposed development to identify any potential landscape and visual effects.

3.14. The noise assessment should be carried out in line with relevant legislation and standards as detailed in Chapter 14 of the scoping report.

3.15. Scottish Ministers are aware that further engagement is required between parties regarding the refinement of the design of the proposed development

regarding, among other things, surveys, management plans, peat, radio links, finalisation of viewpoints, cultural heritage, cumulative assessments, and request that they are kept informed of relevant discussions.

4. Mitigation Measures

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

5. Conclusion

5.1. This scoping opinion is based on information contained in the applicant's written request for a scoping opinion and information available at the date of this scoping opinion. The adoption of this scoping opinion by the Scottish Ministers does not preclude the Scottish Ministers from requiring of the applicant information in connection with an EIA report submitted in connection with any application for section 36 consent for the proposed development.

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

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

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

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

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

Carolanne Brown

Energy Consents Unit
December 2024

ANNEX A

Consultation

List of consultees who were consulted

- The Highland Council
- Historic Environment Scotland
- NatureScot
- SEPA
- BEAR Scotland
- Beastie Boats
- BT
- Caley Cruisers
- Civil Aviation Authority
- Communities Inshore Fisheries Alliance
- Crown Estate Scotland
- Cruise Loch Ness
- Defence Infrastructure Organisation
- Fisheries Management Scotland
- Fort Augustus and Glenmoriston Community Council
- Glenurquhart Community Council
- Health and Safety Executive
- Highland and Islands Airports Limited (“HIAL”)
- John Muir Trust
- Joint Radio Company (“JRC”)
- Loch Ness by Jacobite
- Marine Harvest Ltd – MOWI
- Mountaineering Scotland
- National Grid
- NATS Safeguarding
- Ness and Beauly Fisheries Trust
- Ness District Salmon Fisheries Board
- Office for Nuclear Regulation
- Royal Yachting Association (“RYA”)
- RSPB Scotland
- Scottish & Southern Electricity Networks (SSE)
- Scottish Canals
- Scottish Canals 2 - Caledonian Canal
- Scottish Canoe Association
- Scottish Fishermen's Federation
- Scottish Fishermen's Organisation
- Scottish Gas Networks (SGN)
- Scottish Water
- Scottish Wild Land Group
- Scottish Wildlife Trust
- ScotWays
- Stratherrick and Foyers Community Council

- The Loch Ness Centre
- Visit Scotland
- Woodland Trust

Internal advice from areas of the Scottish Government was provided by officials from Transport Scotland.

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

BT Consultation Response

From:	radionetworkprotection@bt.com
To:	Carolanne Brown
Cc:	radionetworkprotection@bt.com
Subject:	FW: WID13441 - Scoping Request for Glen Earrach Pumped Storage Hydro - ECU00005121
Date:	05 June 2024 14:33:47
Attachments:	image001.jpg image002.png image003.png image004.jpg

---

OUR REF; WID13441

Thank you for your email dated 15/05/2024.

We have studied this Glen Earrach Pumped Storage Hydro scoping proposal with respect to EMC and related problems to BT point-to-point microwave radio links.

We have plotted the central location provided (NH4525522395) and reviewed the infrastructure located inside of the Red Line Boundary. As you can see from the screenshot provided BT Radio Link PORT CLAIR FOREST BT RS to DAVIOT WOOD BT RS is within the vicinity. Due to the proximity to our Radio Link can I please ask that you provide the exact heights and grid references for any structures at height within the Red Line Boundary when this information is available?

Once this information is received, we will be able to access this for you and provide BTs stance on this proposal.

Unit 4, Beta Centre
Stirling University Innovation Park
Stirling, FK9 4NF

E-mail: scotland@buglife.org.uk

By e-mail only: Roddy.Dowell@highland.gov.uk

27th June 2024

Dear Roddy Dowell,

24/02045/SCOP Proposed pumped strorage hydro scheme Glen Earrach / Loch nam Breac Dearga

Buglife- The Invertebrate Conservation Trust would like to make the following comments on the above application.

Buglife's comments are in response to the Environment Scoping Report written by AECOM, dated April 2024.

Proposed scope of macroinvertebrate surveys to inform Environmental Impact Assessment Report

The Scoping Report has identified 12 named water bodies within the development site, with further unnamed waterbodies within the development boundary. Although the desk study undertaken did not generate any records of notable invertebrate species, it was acknowledged that is this likely to be due to data deficiency, rather than an indication of absence of species of conservation concern. The report identifies Freshwater Pearl Mussel (*Margaritifera margaritifera*) and Northern Damselfly (*Coenagrion hastulatum*) as Scottish Biodiversity List (SBL)[1] species relevant to habitats within the scheme. Local Biodiversity Action Plan species of relevance that have been identified are Upland Summer Mayfly (*Ameletus inopinatus*) and Azure Hawker (*Aeshna caerulea*).

The Report has determined that the Glen Earrach Pumped Storage Hydro Project could result in potentially significant effects to ecological features including permanent habitat loss, habitat degradation, permanent or temporary changes to hydrological conditions and increased risk of invasive species.

For aquatic macroinvertebrates the impacts of drawdown are of particular concern. The invertebrate assemblage of a waterbody is often distinctive, developing to suit conditions at the site such as substrate composition and degree of water level fluctuations[2]. Pumped Storage Hydro (PSH) schemes typically increase the frequency of fluctuations in water levels and these fluctuations are likely to be more rapid and more frequent than more gradual natural fluctuations[3]. Different invertebrate species have varying degrees

[1] Scottish Biodiversity List | NatureScot

[2] White, M.S., Xenopoulos, M.A., Hogsden, K., Metcalfe, R.A. and Dillon, P.J. (2008). Natural lake level fluctuation and associated concordance with water quality and aquatic communities within small lakes of the Laurentian Great Lakes region. Hydrobiologia 613: 21-31.

[3] Patocka, F. (2014). Environmental Impacts of Pumped Storage Hydro Power Plants. Norwegian University of Science and Technology.

of tolerance to water fluctuations making it vital that adequate surveys are undertaken to understand the invertebrate communities that are present to be able to determine the magnitude of impacts.

The Scoping Report states that *"The estimated drawdown in Loch Ness, when at Top Water Level (TWL), is estimated to be around 0.460 m".* Cumulative drawdown figures that account for other PSH schemes on Loch Ness have not been provided but Buglife understands from figures submitted for the Loch Kemp scheme that with the addition of this scheme, a worst-case scenario of a maximum operational drawdown of over 1.0m must be considered.

Buglife have compiled the following table which details the taxa known to be present in Loch Ness and groups them by their sensitivity to water fluctuations.[4]

Table 1: Sensitivity of taxa known from Loch Ness to water fluctuations

Sensitive	**Tolerant**
Alderflies *(Sialidae)*	Diving Beetles *(Dytiscidae)*
Caddisflies *(Trichoptera)*	Mayflies *(Ephemeroptera)*
Flatworms *(Planariidae)*	Shrimps *(Gammaridae)*
Hog-Louse *(Asellidae)*	Backswimmers *(Notonectidae)*
Leeches *(Hirudinea)*	Water Boatmen *(Corixidae)*
Riffle Beetles *(Elmidae)*	Water Fleas *(Cladocera)*
Molluscs *(Mollusca)*	
Stoneflies *(Plecoptera)*	
Worms *(Oligochaeta)*	

Buglife welcomes that further surveys are proposed for macroinvertebrates and highlights these surveys must be comprehensive to ensure a full understanding of impacts. Buglife are concerned that the proposed method for surveying all water features will be based on 'River Invertebrates WHPT UKTAG Method Statement'[5]. This method is designed for assessing invertebrates in rivers in relation to general degradation and is not appropriate for assessing the impacts of the proposals on aquatic invertebrate communities in Loch Ness and Loch nam Breac Dearga.

Some useful references to design appropriate surveys are the 'Handbook of Conservation Methods'[6], 'Freshwater Biology and Ecology Handbook'[7] and 'Organising surveys to determine site quality for invertebrates'.[8] The number of sampling locations should ensure that adequate coverage is achieved of the shorelines of both lochs where drawdown impacts are predicted (e.g shallow bays). Surveys should include spring and autumn sampling as a minimum to ensure they capture seasonal variation to cover the

[4] Carmignani, J.R. and Roy, A.H. (2017). Ecological impacts of winter water level drawdowns on lake littoral zones: a review. Aquat. Sci. 79: 803–824.

[5] Rivers - Invertebrates (General Degradation) | wfd uktag

[6] https://www.cambridge.org/core/books/handbook-of-biodiversity-methods/1E36DB3ACDCC032AAB0B6B0B01FCC8BB

[7] https://www.fba.org.uk/shop/p/freshwater-biology-and-ecology-handbook

[8] https://www.fba.org.uk/shop/p/freshwater-biology-and-ecology-handbook

most detectable life stages of species groups such as caddisflies and mayflies. Invertebrates should be identified to species wherever possible.

The Community Conservation Index (CCI)[9] should then be used to determine the conservation value of the affected areas. Buglife recommend that it is key to identify taxa that are intolerant of excessive water fluctuations, as this will be one of the main effects of the scheme.

Terrestrial invertebrate surveys to inform Environmental Impact Assessment Report

Buglife understand that to date only an initial walkover survey has been undertaken in January 2024 and full habitat surveys have not been completed. However, it is concerning that at this early stage, further surveys for invertebrates appear to have been scoped out. The site is located adjacent to the East Inverness-shire Important Invertebrate Area (IIA)[10]. IIAs are nationally or internationally significant places for the conservation of invertebrates and the habitats upon which they rely.

Northern Damselfly has already been identified as a species that could be relevant to the scheme and Buglife are aware of records for the Vulnerable Brilliant Emerald Dragonfly (*Somatochlora metallica*) from the East Inverness-shire IIA. In close proximity to Loch nam Breac Dearga there are a number of records from the NBN Atlas[11] for the Rare cranefly species *Tipula limbata,* which is associated with blanket bog.

Habitats identified within the site boundary include blanket bog, wet and dry heath, montane, standing water and Plantation on Ancient Woodland Site (PAWS). These are habitats that could support SBL species and other notable species of conservation concern. Direct habitat loss and indirect impacts such as fragmentation, changes in humidity and changes to vegetation, all have the potential to adversely affect the invertebrate assemblage. Therefore, surveys should be considered to ensure an adequate impact assessment can be made for terrestrial invertebrates.

Given the range of habitats impacted, Buglife strongly recommends terrestrial invertebrates are considered within the Environmental Impact Assessment, with any necessary invertebrate surveys undertaken, as determined by a suitably qualified entomologist.

Please do not hesitate to contact us if further information is needed on any of the points raised and we request to be kept up to date with the progress of this application.

Yours sincerely,

Craig Macadam

Conservation Director

[9] Chadd, R. & Extence, C. 2004. The conservation of freshwater macroinvertebrate populations: A community-based classification scheme. Aquatic Conservation: Marine and Freshwater Ecosystems 14: 597–624 (2004).
[10] Important Invertebrate Areas - Buglife
[11] NBN Atlas - UK's largest collection of biodiversity information

Caley Cruisers Ltd Consultation Response

Scoping Request for Glen Earrach Pumped Storage Hydro - ECU00005121

I am contacting you on behalf of Caley Cruisers Ltd and Loch Ness Harbour Company. We own and operate 30 boats on Loch Ness and the Caledonian Canal and also manage Urquhart Bay Harbour – one of the few safe havens for boats transiting Loch Ness.

While we are not objecting we have growing concerns due to the number of proposed schemes and the potential combined effect. We have concerns about the operability of the canal, its moorings, lochs and overall navigability. In particular, we have concerns to the water level needed for access into Urquhart Bay Harbour and the exposed steel work (without fendering) when the water levels drop lower than 'normal'.

In the particular low water due to natural causes last year there was a few issues that came about:

1. Sand banks visible either side of the channel on entry to Urquhart Bay.
2. The lifeboat were struggling with access to their slip which is located just at the entrance of Urquhart Harbour.
3. We had to dredge the entrance of the harbour along with a couple of places were sediment had built up to ensure boats didn't run aground.
4. The wooden fendering doesn't go that low and damaged was caused to a couple of the boats.

On the other side the water level was that high at points it was over the harbour wall and flooded the harbour.

If the level of the loch was to move over a 24 hour period significantly bathing platforms could be caught under the harbour and snap off/boats could be grounded. It has happened in the yard on an occasion where Scottish Canals significantly changed the level overnight – bathing platforms were snapped off and boats were left sitting on their keels.

As I say we don't object but have a few concerns.

Kindest regards

Lindsey Randall

Cruiser Division Manager

E: lindsey@caleycruisers.com

T: 07940 815337

Crown Estate Scotland Consultation Response

From: REDACT
To: Carolanne Brown
Subject: 20240531 - Scoping Request for Glen Earrach Pumped Storage Hydro - ECU00005121 - CES interests not affected
Date: 31 May 2024 07:47:25

Good morning Carolanne

I write to confirm that the assets of Crown Estate Scotland will not be affected by this proposal.

Kind regards

Joan.

Joan McGrogan (She/Her)
Portfolio Co-ordinator

Crown Estate Scotland

t: 0131 376 1569 / 07391 407753

From: LUP enquiries <LUPenquiries@hse.gov.uk>
Sent: 21 May 2024 16:22
To: Econsents Admin
Subject: Re: Scoping Request for Glen Earrach Pumped Storage Hydro - ECU00005121

Dear Ms Brown,

Thank you for your consultation of 15th May 2024 sent to HSE's email address HazSubConsent.CEMHD5@hse.gov.uk regarding the request for a scoping opinion from the Scottish Ministers for the proposed section 36 application for the Glen Earrach Pumped Storage Hydro.

HSE's interest in applications for consent to construct and operate electrical generating stations such as the Glen Earrach Pumped Storage Hydro is very limited. Health and safety issues are mainly dealt with under health and safety law.

HSE has an interest in proposals where developments will be located in HSE zones.

HSE's Planning Advice web app https://www.hse.gov.uk/landuseplanning/index.htm is available for anyone to use (registration is required first) to check if a development area is within HSE zones.

A check of our land use planning consultation zones shows the route is not within any explosive safeguarding zones.

The Glen Earrach Pumped Storage Hydro is not located within any HSE zones.

HSE also has an interest in proposed developments that would have hazardous substances present at or above threshold quantities [see the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015]. However, Glen Earrach Pumped Storage Hydro does not appear to be of this type.

Therefore, HSE's Land Use Planning team have no further comments.

Kind regards,
Berdine Clews

HSE's Land Use Planning Support Team
Chemicals, Explosives and Microbiological Division 5
HSE, Harpur Hill, Buxton, Derbyshire, SK17 9JN

HISTORIC ENVIRONMENT SCOTLAND | ÀRAINNEACHD EACHDRAIDHEIL ALBA

By email to: Econsents_Admin@gov.scot

Carolanne Brown
Case Officer
Energy Consents Unit
Onshore Electricity, Strategy and Consents
Directorate for Energy and Climate Change
Scottish Government

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

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

Our case ID: 300073206
Your ref: ECU00005121

06 June 2024

Dear Carolanne Brown

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Glen Earrach Pumped Storage Hydro
Scoping Report

Thank you for your consultation which we received on 15 May 2024 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This covers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

The Highland Council's archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include heritage assets not covered by our interests, such as unscheduled archaeology, and category B- and C-listed buildings.

Proposed Development

We understand that the proposed development comprises a pumped storage hydro (PSH) scheme with an indicative installed electrical generation capacity of up to 2,000MW on the north-western side of Loch Ness. Key components of the proposed development include:

- the Headpond Reservoir and Embankment, with Embankment 1 having a height of 72m (i.e. 523m AOD);
- access tracks, including three options identified for site access, which would involve upgrading of existing track and construction of new track;
- 13 construction compounds, including 9 compounds which would be retained for the full operational period of the proposed development for housing several infrastructures;
- the Power Cavern; and
- tunnels and waterways.

We note that the grid connection would be subject to a separate consenting arrangement.

Scope of assessment

We welcome that cultural heritage issues are considered in Chapter 12, and that a cultural heritage assessment will be completed as part of the EIA. We note from Section 2.7 that a Rochdale Envelope approach identifying maximum worst-case parameters for structures to allow a degree of flexibility to address uncertainty, will be taken for all built features. We understand that the dimensions of the components indicated are subject to refinement through the EIA process and final dimensions will be as detailed in the EIA Report. We would be happy to provide further advice on the scope of assessment as the design of the development progresses.

Potential physical impacts

We do not agree with the applicant's proposal to scope out the potential physical impacts on all the designated assets within our remit.

While we can confirm that there are no category A-listed buildings, inventory battlefields, gardens and designed landscapes or world heritage sites within the boundary of the proposed development, we note that a scheduled monument, *Dun Scriben, fort* (SM6220), falls within the red line boundary, with the proposed improvements to an existing access track locating c. 100m to the east. Further details are required regarding the potential creation of this access track and the potential for direct and/or indirect physical impacts to arise from its formation on this scheduled monument.

Significant further consideration will also be required in order to determine the likely extent of indirect physical impacts on *Cherry Island crannog, Inchnacardoch Bay, Loch Ness* (SM9762) and *Urquhart Castle* (SM90309) from the potential fluctuation in water levels in Loch Ness caused by the proposed development.

Potential setting impacts

We welcome that potential temporary impacts on the setting of designated assets within our remit resulting from construction, as well as the potential permanent impacts from the proposed development on the setting of assets within our remit due to the introduction of new above ground infrastructure, are scoped in. We are content that the wider study area of 3km is sufficient for assessing setting impacts on designated assets within our remit. We also welcome that assets beyond this distance may also be considered where elements of their setting extend within the 3km study area.

From the information currently available, the proposed development has the potential to adversely impact the settings of *Dun Scriben, fort* (SM6220) and *Dun Deardail, Forts 410m and 520m ENE of Fasnagruig* (SM11884). However, we consider that a bare-earth Zone of Theoretical Visibility (ZTV) taking into account all built elements of the proposed development should be produced. The list of assets highlighted above is therefore not considered to be exhaustive. It is possible that once a ZTV which covers all elements of

the proposed development has been prepared by the applicant, additional assets in our remit may fall within the ZTV.

Our detailed comments are in the Annex to this letter.

Further information

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes. Technical advice is available on our Technical Conservation website at https://www.engineshed.scot/.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Adrian Lee and they can be contacted by phone on 07500 579626 or by email on adrian.lee@hes.scot.

Yours faithfully

Historic Environment Scotland

Annex

Detailed Comments on the Scoping Report

We welcome that cultural heritage issues are considered in Chapter 12, and that a cultural heritage assessment will be completed as part of the EIA.

We welcome that the applicant has referred to our Managing Change in the Historic Environment: Setting guidance note for assessments of impacts on setting of historic environment assets. We would also recommend that the undertaking of a cultural heritage assessment should reflect the best practice guidance given in the EIA Handbook, which has included an appendix on Cultural Heritage Impact Assessment.

We notice that Table 12.2 has identified the different magnitudes of changes to the setting of the heritage asset, affecting the significance and resulting in changes in the ability to understand and appreciate the value of the asset. We wish to refer to the Managing Change in the Historic Environment: Setting guidance note, which states that "setting can be important to the way in which historic structures or places are understood, appreciated *and experienced*. *It can often be integral to a historic asset's cultural significance*". We therefore consider that setting change includes not only our ability to understand and appreciate, but also our ability to experience the asset.

We note that the applicant has proposed to scope in the potential temporary impacts on the setting of designated assets resulting from construction, and the potential permanent impacts from the development on the setting of assets due to the introduction of new above ground infrastructure (Section 12.6 refers), but scope out physical impacts on designated assets (Section 12.4.5 refers). We also note from Section 2.7 that a Rochdale Envelope approach identifying maximum worst-case parameters for structures to allow a degree of flexibility to address uncertainty, will be taken for all built features, and we understand that the dimensions of the components indicated are subject to refinement through the EIA process and final dimensions will be as detailed in the EIA Report. Our detailed comments on the proposed scope are as follows:

Potential physical impacts

We do not agree with the applicant's proposal to scope out the potential physical impacts on all the designated assets within our remit.

We note that the proposed improvements to an existing access track under one of the three options are located c. 100m to the east of *Dun Scriben, fort* (SM6220). From Table 2.2 we understand that the proposed site access will have a running width of 10m at maximum. We require further details regarding the potential creation of this access track and the potential for direct and/or indirect physical impacts to arise from its formation on this scheduled monument, for instance, would the formation of this track require slope stabilisation works which may have impacts beyond the 10m width of the track?

We notice that the scoping report has not discussed indirect physical impacts clearly. As detailed in the cultural heritage appendix of the EIA Handbook (page 182), indirect physical impacts occur where the fabric is lost or preserved as a result of the proposal even though the asset lies at a remove from the proposal. An example is the degradation of waterlogged deposits as a result of dewatering and changes in currents resulting in increased/decreased erosion. We do not agree that potential indirect physical impacts on all designated assets within our remit should be scoped out, until the potential impacts on two scheduled monuments, *Cherry Island crannog, Inchnacardoch Bay, Loch Ness* (SM9762) and *Urquhart Castle* (SM90309), caused by fluctuating water levels have been adequately assessed.

Cherry Island crannog, Inchnacardoch Bay, Loch Ness (SM9762)

This scheduled monument comprises the remains of a crannog, a late prehistoric dwelling constructed on a partly or wholly artificial island and includes the submerged remains of what may be a medieval castle. The monument is situated in a shallow bay on the west side of Loch Ness, just to the north of Fort Augustus. Its structure is likely to depend on the support of the surrounding water and it is likely to contain significant well preserved, water-logged deposits related to its construction and use. The survival of water-logged deposits depends on continued submersion under water and would be placed at risk if exposed to drying out and especially intermittent submersion and exposure.

Urquhart Castle (SM90309)

This scheduled monument comprises the remains of a complex medieval castle on a promontory on the northern shore of Loch Ness, Strone Point. Excavation has shown that an earlier fort dating to the first millennium AD was situated at the south end of the castle. Water-logged deposits associated with the fort and castle's construction and use survive around the loch edge. These will also be vulnerable to exposure through changing water levels.

We notice that Section 11.6.2 has indicated that "*the discharge of water from the headpond into Loch Ness during both normal operation and during flood events will result in a significant volume of additional water being discharged into Loch Ness, resulting in an increase in loch level*", and "d*uring periods of normal flows or drought, abstraction of water from Loch Ness to the headpond will reduce water levels in Loch Ness*". Section 11.5.3 has also indicated that "*an assessment of low flows from the contributing areas will be made for both the area local to the Development and at the main receiving water bodies. In the event that the impacts are found to be significant a further assessment will be undertaken including the impact on water levels in Loch Ness*".

Fluctuating water levels in Loch Ness could place the survival of Cherry Island and significant and sensitive remains at both scheduled monuments at substantial risk, from the drying out of water-logged deposits, structural supports and scour. Significant further consideration will be required in order to determine the likely extent of indirect physical impacts on both scheduled monuments. This assessment should include study of the

cumulative impacts of this scheme and other existing and proposed pumped storage hydro schemes on water levels in Loch Ness to assess the likelihood of potential fluctuations in the water level in Loch Ness.

Works affecting water levels around scheduled monuments also legally require Scheduled Monument Consent (SMC), obtained through Historic Environment Scotland, beforehand. SMC is in addition to planning or other consents and the obtaining of one does not preclude the granting of another. It is unlikely that we would recommend consent be granted for these proposals if impacts can be demonstrated.

We are content that the potential for indirect physical impacts on the scheduled monument of *Crusader, remains of speedboat in Loch Ness (SM11070)* near Achnahhanet can be discounted, on the basis that the wreckage of the boat lies in deep water at a sufficient distance from the outfall area.

Potential setting impacts

We welcome that potential temporary impacts on the setting of designated assets within our remit resulting from construction, as well as the potential permanent impacts from the proposed development on the setting of assets within our remit due to the introduction of new above ground infrastructure, are scoped in. We are content that the wider study area of 3km is sufficient for assessing settings impacts on designated assets within our remit. We also welcome that assets beyond this distance may also be considered where elements of their setting extend within the 3km study area.

From the information currently available, the proposed development has the potential to adversely impact the settings of *Dun Scriben, fort* (SM6220) and *Dun Deardail, Forts 410m and 520m ENE of Fasnagruig* (SM11884). However, we notice that not all elements of the proposed development have been accounted for in the initial Zone of Theoretical Visibility (ZTV), such as the access tracks, buildings within compounds or tunnel portal structures. We therefore consider that a bare-earth ZTV taking into account all built elements of the proposed development should be produced. The list of assets highlighted herewith is therefore not considered to be exhaustive. It is possible that once a ZTV which covers all elements of the proposed development has been prepared by the applicant, additional assets in our remit may fall within the ZTV.

Dun Scriben, fort (SM6220)

This scheduled monument consists of a prehistoric fort located on a flat-topped knoll. The fort is oval on plan and is defined by the tumbled remains of a drystone wall. Situated upon a high point, the fort would have been positioned to take advantage of commanding views to the northeast and southwest along Loch Ness as well as along the high but shallow valley of the Grotaig burn between the hills of Meall Fuar Mhonaidh and Creag Dhearg, an area whose use as a natural routeway from southwest to northeast along the Great Glen is implied by the place name Loch a' Bhealaich (loch of the pass). Views from the monument to the southwest are therefore key to understanding the purpose and function of the monument.

The proposals could appear in these outward views from the monument and in views to and from the monument from closer by. Visualisations are required to demonstrate the potential impact of new access tracks and any other above-ground infrastructure in views from the monument toward Meall Fuar-Mhonaidh. A bare-earth wireframe may be the most appropriate visualisation to demonstrate this given the currently wooded nature of *Dun Scriben, fort* (SM6220). However, once further information has been provided it is possible that a photomontage may be required. Further visualisations demonstrating the potential setting impact from tracks, compounds, and buildings and tunnel portal structures within them are required where these are planned in proximity to the monument. Such a compound is depicted close to the monument in Figure 10-1 of the scoping report.

Dun Deardail, Forts 410m and 520m ENE of Fasnagruig (SM11884)

This scheduling applies to two Iron Age forts and associated outworks overlooking Inverfarigaig Bridge and Loch Ness. One fort occupies the true summit while another, 835m to the southwest, occupies a second peak. The northeast fort is sub-rectangular on plan while the southwest fort is sub-circular on plan. Both are of roughly equal size and appear to have been entered from the south-southeast and east respectively. They were deliberately positioned to take advantage of views to the southwest and northeast along Loch Ness and potentially to control movement from Loch Ness to the east through the Pass of Inverfarigaig. The monuments are intervisible with *Dun Scriben, fort* (SM6220), as well as *Urquhart Castle* (SM90309), on Strone Point, which was preceded by an earlier fort dating to at least the 1st millennium AD.

A photomontage visualisation is required to demonstrate the potential setting impact on the monuments from any tailrace / outfall infrastructure on the northwest shore of Loch Ness as well as the potential setting impact from other above-ground infrastructure, including access tracks, compounds and buildings within them, and tunnel portal structures, which may appear in views toward and in the background of *Dun Scriben, fort* (SM6220) from the two forts.

Textual Comments

We welcome that the applicant has mentioned in Section 12.2.2 that Historic Environment Scotland released "Our Past, Our Future" in June 2023. We would like to add that this new strategy for Scotland's historic environment has also been adopted in June 2023 in lieu of "Our Place in Time (2014)" (first paragraph of Section 12.2 refers).

There are a couple of inconsistencies across paragraphs in the scoping report: Section 12.4 has stated that some assets beyond the distance of 3km may also be considered for assessment of changes to the setting of designated assets where elements of their setting extend within the 1km study area, rather than the 3km study area as stated in Section 12.5.1; and the first paragraph of Section 3.4.1.5 has proposed to consider projects which are still going through the planning process as part of the cumulative assessment, while projects approved or under construction would be considered as part

of the baseline, but Table 3.6 has also included approved and constructed projects (other than hydro schemes in the area where the rationale for inclusion has been set out in the third paragraph of Section 3.4.1.5) as cumulative developments. It would be helpful if the applicant can clarify the above criteria for assessment for a clearer methodology.

It would also be helpful if the applicant could rectify “Registered battlefields” in Table 12.1 as “Inventory battlefields”.

Historic Environment Scotland
6 June 2024

Scoping - Joint Radio Company ("JRC") Consultation Response

From:	JRC Windfarm Coordinations Old
To:	Carolanne Brown
Cc:	Econsents Admin; Wind SSE
Subject:	Glen Earrach Pumped Storage Hydro - ECU00005121 -Scoping Request [WF252175]
Date:	27 May 2024 13:03:29

Dear carolanne,

A Windfarms Team member has replied to your co-ordination request, reference **WF252175** with the following response:

If any details of this proposal change, particularly the disposition or scale of any turbine(s), this clearance will be void and re-evaluation of the proposal will be necessary.

Please do not reply to this email - the responses are not monitored.
If you need us to investigate further, then please use the link at the end of this response or login to your account for access to your co-ordination requests and responses.

Dear Carolanne

***Site Name**: Glen Earrach Pumped Storage Hydro*

ECU: ECU00005121

***Site Centres at NGR**:*

- *Headpond - NH 45223 22331 - (no height given)*
- *Tailpond Inlet/Outlet NH 47946 21564 (Loch Ness) - (max Height 10m)*
- *Switching Station NH 48447 25914 - (no height given)*

*This proposal is ***cleared*** with respect to radio link infrastructure operated by the local energy networks.*

JRC analyses proposals for developments on behalf of the UK Fuel & Power Industry. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements.

*In the case of this proposed energy development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided. **However, if any details of the development change, particularly the disposition or scale of any structures, it will be necessary to re-evaluate the proposal**. Please note that due to the large number of adjacent radio links in this vicinity, which have been taken into account, clearance is given specifically for a location within the declared grid reference (quoted above).*

In making this judgement, JRC has used its best endeavours with the available data, although we recognise that there may be effects which are as yet unknown or inadequately

predicted. JRC cannot therefore be held liable if subsequently problems arise that we have not predicted.

It should be noted that this clearance pertains only to the date of its issue. As the use of the spectrum is dynamic, the use of the band is changing on an ongoing basis and consequently, you are advised to seek re-coordination prior to submitting a planning application, as this will negate the possibility of an objection being raised at that time as a consequence of any links assigned between your enquiry and the finalisation of your project.

JRC offers a range of radio planning and analysis services. If you require any assistance, please contact us by phone or email.

Regards

Wind Farm Team

Friars House
Manor House Drive
Coventry CV1 2TE
United Kingdom

Office: 02476 932 185

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

https://breeze.jrc.co.uk/tickets/view.php?id=33331

Carolanne Brown,
Case Officer,
Onshore Electricity, Strategy and Consents
Directorate for Energy and Climate Change
Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

06 June 2024

GLEN EARRACH PUMPED STORAGE HYDRO SCHEME
ENVIRONMENTAL SCOPING REPORT

I would refer to your consultation on the Environmental Scoping Report for the above development. Thank you for the opportunity to comment and recognising our interest in this development as an existing user of the Loch Ness water resource.

Mowi Scotland operates a long-established freshwater pen fish farm in Loch Ness, near to the village of Dores for the production of Atlantic salmon smolts. The presence of the fish farm is recognised within the scoping report however it is surprising that this is limited to two brief references. As a food producer operating within Loch Ness, that is dependent on the waterbody achieving and maintaining high environmental condition, the absence of consideration of effects on the fish farm is a concern.

While the Scoping report identifies generically the environmental effects which may arise during the construction and operation of the facility, and which will be addressed in more detail as part of the EIAR, no specific assessments on the potential effects on the operation of our Loch Ness fish farm are proposed to be scoped for inclusion in the EIAR. **We would consider that this is a material omission.**

The farmed salmon sector contributes more than £760 million to the Scottish economy every year through direct, supply chain and employment impacts. The sector generates more than £1.2 billion worth of Scottish salmon at farm gate providing direct employment for over 2,500 people in farming and a further 10,000 across Scotland. Freshwater lochs are an important part of the farming cycle for bout Rainbow trout and Atlantic salmon, approximately 50% of salmon smolts are produced in freshwater lochs in Scotland. It is surprising there is no reference to the economic importance of fish farming in the Socio-economic chapter of the Scoping report given the presence of the Loch Ness fish farm**.**

Mowi Scotland Limited
Registered Office,
1st Floor, Admiralty Park
Admiralty Road
Rosyth
FIFE KY11 2YW

OFFICE
Farms Office, Glen Nevis Business Park
PH33 6RX Fort William

POSTAL
Farms Office, Glen Nevis Business Park
PH33 6RX Fort William

FAX
-

MAIL
environment@mowi.com

WEB
http://mowi.com

As a food producer within Loch Ness, which would be subject to permanent hydrological modification by this proposed development, **the potential effects of the development on the operation of the Loch Ness fish farm requires to be scoped into the EIAR.** We would request that the Water Environment and Water Resource Assessments outlined in the Scoping Report be expanded to examine the specific risk to the fish farm and, if required identification of appropriate mitigation measures and actions. In terms of Sections 10 and 11 of the Scoping Report **we do not consider that the proposed assessments are sufficient.** We would request the following issues that require to be examined in detail within the EIAR.

Construction Phase Impacts

An assessment should be carried out to examine the risk of connectivity of any potential catchment water quality impacts from construction phase pollution with the Loch Ness fish farm. We would be especially concerned **with elevated suspended solids and liberation of metals from soil and rock excavations.** Although the fish farm location is some distance from the main development site, potential construction run-of release points to Loch Ness should be examined and identified.

Increased concentrations of suspended solids can impact both native fish and farmed salmon behaviour and health through gill irritation and stress responses, including altered swim behaviour and reduced appetite. It is necessary for the assessment of effects to define the particle sizes that the suspended material will comprise, in order to then also assess their potential dispersion and transport. Small particulates which remain in suspension for a significant period could have the potential to travel significant distances within Loch Ness via wind-driven surface currents, and this warrants examination within the EIAR.

The liberation and release into the water environment of concentrations of metals from soil / rock excavations is also of potential concern for wildlife and both native and farmed salmon, due to their persistency and potential for adverse effects. Impacts to fish (native and farm raised) can include oxidative stress, weakened immune systems, tissue and organ damage, and growth defects, with the ultimate potential to impact survival. Metal pollutants have the potential to cause toxicity effects to fish even at low levels. The EIAR should examine the potential impacts from the release of metals from soil / rock excavations with a specific assessment on potential impacts on farmed fish health.

The Scoping Report identifies the potential for direct and indirect water quality and hydromorphological effects during the construction operation. We would stress the importance of maintaining water quality throughout the catchment during the construction phase, especially for Loch Ness in respect of the health and welfare of both native and farm raised fish. There should not be an inference that water quality impacts are inevitable and

› Mowi Scotland Limited
Registered Office,
1st Floor, Admiralty Park
Admiralty Road
Rosyth
FIFE KY11 2YW

OFFICE
Farms Office, Glen Nevis Business Park
PH33 6RX Fort William

POSTAL
Farms Office, Glen Nevis Business Park
PH33 6RX Fort William

FAX
-

MAIL
environment@mowi.com

WEB
http://mowi.com

robust, effective mitigation measures supported by continuous water quality monitoring, with independent oversight are required. The Scoping Report in discussing construction phase impacts references that there is a significant buffering potential (within Loch Ness) due to the size and volume of the waterbody. The size and scale of Loch Ness should not be considered as a mitigating factor for construction phase pollution.

Operational Phase Impacts

A key concern for the continued viable operation of the Loch Ness fish farm is **the potential impacts through changes to water levels within Loch Ness, both high water and low water levels.** Mowi operates freshwater fish farms in a number of loch waterbodies which are also subject to storage hydro operations. Fluctuations in water levels outside of normal waterbody changes have the potential to significantly impact the operation of our Loch Ness fish farm and we have direct experiences of this elsewhere. We would consider that Loch Ness is particularly sensitive to further changes in water levels given PSH pressures from operational schemes and the additional schemes that are in various stages of planning.

The Scoping Report correctly identifies the range of existing hydro operations within the Loch Ness catchment and proposed schemes in planning stage. All of these current and proposed schemes will influence and change current water level management in Loch Ness. **It is essential that effects of changes in water levels in Loch Ness and the potential for impacts to the operation of the fish farm is scoped into the EIAR.** This assessment should include a **cumulative assessment** of water level effects from the existing pumped storage hydro schemes utilising Loch Ness as a `tail pond` and the proposed PSH schemes at the various stages of planning (as outlined in Section 2.4 of the Scoping Report).

The EIAR should include the following:

- An assessment of water level changes on the mooring systems and containment of stock at the Loch Ness fish farm.
- An assessment of water level changes to shoreside farm infrastructure such as slipways and vessel pontoons. Year-round access to the Loch Ness fish farm is required especially for key in-year timings around sensitive operation such as fish transfers in and out of the fish farm. High water or low water changes may render facilities such as slipways and pontoons unusable for periods of time.
- The above assessments should also consider the changes in the frequency of when high and low water levels will occur. An increase in the frequency of water level extremes has the potential to impact our operational flexibility to mitigate especially for key in-year operations associated with fish transfers.

Mowi Scotland Limited
Registered Office,
1st Floor, Admiralty Park
Admiralty Road
Rosyth
FIFE KY11 2YW

OFFICE
Farms Office, Glen Nevis Business Park
PH33 6RX Fort William

POSTAL
Farms Office, Glen Nevis Business Park
PH33 6RX Fort William

FAX
-

MAIL
environment@mowi.com

WEB
http://mowi.com

We would welcome further direct consultation from the developer on these concerns including site visits as required to support an accurate and detailed assessment of effects and identification of mitigation measures, if required.

Your sincerely,

REDACT

Stephen MacIntyre
Head of Environment, Mowi Scotland

Mowi Scotland Limited
Registered Office,
1st Floor, Admiralty Park
Admiralty Road
Rosyth
FIFE KY11 2YW

OFFICE
Farms Office, Glen Nevis Business Park
PH33 6RX Fort William

POSTAL
Farms Office, Glen Nevis Business Park
PH33 6RX Fort William

FAX
-

MAIL
environment@mowi.com

WEB
http://mowi.com

From:	NATS Safeguarding
To:	Carolanne Brown
Cc:	Econsents Admin
Subject:	RE: Scoping Request for Glen Earrach Pumped Storage Hydro - ECU00005121 [SG37467]
Date:	16 May 2024 09:16:09
Attachments:	image001.png image002.png image003.png image004.png image005.png image006.png

---

Our Ref: SG37467

Dear Sir/Madam

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

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

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

Yours faithfully

NATS Safeguarding

E: natssafeguarding@nats.co.uk

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

NatureScot
Scotland's Nature Agency
Buidheann Nàdair na h-Alba
Econsents_Admin@gov.scot

FAO Carolanne Brown

25 June 2024
Our ref: CEA175492
Your ref: ECU00005121

Dear Carolanne
ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR GLEN EARRACH PUMPED STORAGE HYDRO
Thank you for your consultation requesting our opinion on the scope of the EIA for the above pumped storage hydro scheme and thank you for allowing us an extended deadline to provide our comments.

1. Background
We provided pre-application advice to the consultants at a meeting on the 5 February 2024. We advised on the challenges of taking this project forward in relation to the impacts on European sites and the potentially limited possibilities for mitigating some of these impacts.

Our consideration of the scoping report is in relation to the following sections within our remit:
Chapter 2 Project Description
Chapter 3 Scope of the Environmental Impact Assessment
Chapter 5 Landscape and Visual Amenity
Chapter 6 Terrestrial Ecology
Chapter 7 Aquatic Ecology, Including Marine Ecology
Chapter 8 Ornithology
Chapter 9 Geology and Ground Conditions

2. Key issues
The key issues relevant to our interests which need to be addressed in the Environmental Impact Assessment Report (EIAR) are:
- The impacts on the qualifying interests of River Moriston SAC
- The impacts on the qualifying interests of Urquhart Bay Woods SAC
- The impacts on the qualifying interests of the Moray Firth SAC
- The impacts on North Inverness Lochs SPA

The results of these assessments will be critical to any subsequent advice we give and the position we take should this proposal progress to a formal application. However, from the information provided at pre-application and in the scoping report, we advise at this stage that the scheme is likely to result in impacts on River Moriston SAC. These impacts **have the potential to be of a scale and nature that could make it unlikely that ECU would be able to ascertain that there will be no adverse effect on the integrity of the site. As this has consequences for the potential for the proposal to comply with the Habitats Regulations, we would be happy to explore possible ways forward with ECU and the applicant.**

3. Our comments on the Scoping Report

We broadly agree with the proposed scope of surveys and assessments to be included in the EIAR; these generally meet the requirements we set out in our pre-application advice. However, we advise that extra information is included in the EIAR should this scheme progress to full application. We have detailed the extra information required in Annexes to this letter. We provide general comments in **Annex A.** Comments and advice to inform a full EIAR is in **Annex B**.

We ask that you save each chapter of the EIAR to a separate pdf file of no greater than 10 MB in order to make them compatible with our corporate filing system, with file names that relate to the content of each chapter.

Please note that while we are supportive of the principle of renewable energy, our advice is given without prejudice to a full and detailed consideration of the impacts of the proposal if submitted for formal consultation as part of the EIA or planning process.

Should you have any queries about this letter please contact me at the email below.

The advice in this letter is provided by NatureScot, the operating name of Scottish Natural Heritage.

Yours sincerely

Corrina Mertens
Operations Officer, Lochaber
South Highland
Corrina.mertens@nature.scot

Copied to: SEPA, Highland Council

Annex A – General Comments

1. The Proposed Development

The proposal is located approximately 9.5 km to the south of Drumnadrochit and 6.5 km north of Invermoriston, within the area administered by The Highland Council. The headpond location at Loch nam Breac Dearga sits at approximately 485 m above ordnance datum (AOD). The Development is predominantly located within the catchment of the Allt Saigh watercourse.

Glen Earrach PSH will have a storage capacity of up to 30,000 megawatt hours (MWh) with up to 2,000 MW installed electrical generation capacity (subject to further investigation and feasibility works), with a gross head (vertical distance between upper and lower loch) of close to 500m.

2. Planning Policy Context

The Fourth National Planning Framework (NPF4)

- **NPF4 Policy 3** sets out new requirements for biodiversity enhancement. Policy 3 requires that large-scale development proposals such as this demonstrate that '*the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention'*. Scottish Government is currently developing guidance for National, major and EIA applications. But in the meantime advice is available on our Planning and development: Enhancing biodiversity page.

- **NPF4 Policy 4** Provides protection for existing or proposed European site. Development proposals that are likely to have a significant effect on an existing or proposed European site (Special Area of Conservation or Special Protection Areas) and are not directly connected with or necessary to their conservation management are required to be subject to an "appropriate assessment" of the implications for the conservation objectives.

- **NPF4 Policy 5** (Soils) provides protection for carbon-rich soils and peatlands. Policy 5c) indicates that development proposals on peatland, carbon-rich soils and priority peatland habitat will only be supported for:
    - Essential infrastructure and there is a specific locational need and no other suitable site including; Renewable energy generation
    - Proposals must meet specific requirements including for assessment, project design, mitigation, production of a peat management plan and other appropriate plans required for restoring and/ or enhancing the site into a functioning peatland system capable of achieving carbon sequestration.

Annex B - Comments and advice on the scoping report.

1. Landscape

The proposal will not affect any nationally important landscape and we agree with the proposed scope of the LVIA and suggested range of visualisations.

2. Terrestrial Ecology

2.1 Urquhart Bay Woods SAC

Urquhart Bay Woods SAC is designated for alder woodland on floodplains. This habitat of riverine woods often comprises narrow strips or lines of trees due to clearance of woodland along rivers that has removed most of the true alluvial forests, leaving just fragments. Urquhart Bay Woods is one of very few intact floodplain woodlands remaining in the UK. This woodland type typically occurs on moderately base-rich, eutrophic soils subject to periodic inundation. Therefore, any changes in local and catchment hydrology could have significant effects on the site.

There is potential connectivity to the SAC from the Glen Earrach scheme because its operation will result in changes to the water level regime in Loch Ness. However, it does not appear from the information provided in the Scoping Report that impacts on Urquhart Bay Wood SAC will be considered. **We advise that the applicant provides sufficient information to enable an assessment of potential effects on the conservation objectives of the site and to demonstrate whether it can be ascertained that there is no Adverse Effect on Site Integrity (AESI).**

The assessment should include modelling water levels in Loch Ness for various scenarios of generation and pumping (abstraction) using the most realistic worst-case scenarios. This should be set against the current baseline which includes Foyers PSH and the Caledonian Canal. In addition, modelling and assessment should, separately, consider the effects of the proposal in combination with other proposed developments that could affect water levels, including Red John and Kemp pump storage hydro schemes.

Questions asked by the applicant in the scoping report:

- *Do you agree that the scope of desk study and ecological field survey described in this Section is sufficient to inform the Ecological Impact Assessment element of the EIA? Please advise if there are any further studies of surveys which you consider to be necessary. We consider it unnecessary to conduct surveys of bat activity, as the development Site is likely to be of low importance to bats, and the operation of the development will have no effect on bats. –*
  We refer the applicant to our standing advice on our website;
  https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-protected-species
- *In the interests of identifying opportunities for the Development to deliver biodiversity enhancements, are there any suggestions that you may make as to how this may be best achieved in this case? Are you aware of any local projects to which the Development could contribute, for example? -*
  We defer to the Highland Council to provide comment on biodiversity enhancement opportunities.

3. Aquatic Ecology, Including Marine Ecology

We generally agree with the scope of the desk study and ecological field survey described but have the following advice for the applicant in regard to River Moriston SAC and Moray Firth SAC.

3.1 River Moriston SAC

The River Moriston SAC is designated for Freshwater pearl mussel (FWPM) and Atlantic salmon. Atlantic salmon are also a critical component of FWPM life cycle as host fish. Therefore, impacts on salmon will also have indirect impacts on FWPM and this link needs to be considered in any assessment.

Freshwater mussel populations are vulnerable to changes to water quality (including pollution), hydrological alterations, habitat degradation of riverbeds and banks, illegal pearl fishing and availability of host species.

Atlantic salmon live in both freshwater and marine environments as part of their lifecycle. They hatch and live in freshwater as juveniles and then migrate to sea as adults. After one year or more at sea the adults return to their natal river to spawn. This homing behaviour has resulted in the development of genetically distinct populations of Atlantic salmon between Scottish rivers and several populations may exist within the same river.

As Atlantic salmon migrate up and down stream, any barriers to fish passage on any part of their route, could have significant negative effects. Facilitating the access of Atlantic salmon to all areas of the catchment (including outside the boundary of the SAC) where they could expect to occur naturally is a key objective of the site.

Both qualifying interests are currently in 'unfavourable' condition, with Atlantic salmon known to face significant mortalities both at sea, and during downstream migration including in Loch Ness.

At this stage we advise there is a risk that the impacts of this proposal will not allow the conservation objectives for the features of River Moriston SAC to be met. We advise that the applicant provide sufficient information to assess the effects from all possible impact pathways which include, but are not limited to, the following, which should also be used to inform the assessment of impacts on FWPM:

- Lower water levels in Loch Ness and subsequently in the mouth of River Moriston while the scheme is abstracting water, which may impact FWPM populations in the mouth of the River.
- Salmon may become impinged on the intake screen during periods of abstraction
- Intake flow attracting downstream migrating salmon smolts
- Outlet flow attracting adult migrating salmon
- Increased sedimentation / turbidity (non-toxic) in areas of Loch Ness adjacent to the construction site affecting salmon during the construction phase
- Risk of toxic contamination in Loch Ness from fuel / chemical leakage/ and concrete spills affecting salmon during the construction phase
- Risk of noise disturbance to salmon in Loch Ness from heavy machinery, sediment movement, and/or any temporary cofferdam
- Reduction of water levels in Loch Ness impeding downstream smolt migration

- Reduced productivity of the littoral zone as a consequence of changes to the water level regime in Loch Ness affecting salmon food supply

We advise that the applicant provides sufficient information to enable an assessment of potential effects of all impact pathways, including any not listed above, on the conservation objectives of both qualifying interests and to demonstrate whether it can be ascertained that there will be no AESI. Assessments should be based on realistic worse case scenarios and include the effects of the scheme (a) alone in the context of the current baseline which includes Foyers PSH and the Caledonian Canal, and, separately, (b) in combination with other proposed developments, including Red John and Kemp pump storage hydro schemes. Any mitigation measures proposed should also be assessed against the conservation objectives.

We would be happy to advise on draft proposals for the surveys, modelling and assessment approaches that will be required, and also **on a draft shadow Habitats Regulations Appraisal (HRA) for the River Moriston SAC prior to submission.** As little is known about how smolts move within Loch Ness, or key locations and causes of mortality, surveys of the movement of smolts from the River Moriston SAC through Loch Ness may be required.

We consider that this proposal **has potential to adversely affect the integrity of the River Moriston SAC**. If so, Energy Consents Unit would need to consider whether the tests in Regulations 49 and 53 of the Habitats Regulations can be met. NatureScot has no statutory role in advising on whether these further tests are met, but we are happy to advise on sources of guidance, the impacts of alternative solutions on European sites, and any proposed compensation measures. Further information on these legislative requirements for SACs can be found here https://www.nature.scot/professional-advice/planning-and-development/environmental-assessment/habitats-regulations-appraisal-hra/habitats-regulations-appraisal-hra

3.2 Moray Firth SAC

In the Moray Firth, bottlenose dolphin presence in the summer months coincides with the seasonal migrations of salmonids (Atlantic salmon *Salmo salar* and sea trout *Salmo trutta*). Salmonids are known to be important prey for bottlenose dolphins, based on the analysis of stomach contents and direct observations of foraging events. Chanonry Point, downstream from the mouth of the River Ness, is a well-known and monitored foraging area for bottlenose dolphin. Here there have been visual observations of foraging (mainly on salmon) and also passive acoustic monitoring which has recorded foraging buzzes and 'brays'. Bottlenose dolphins can eat a wide range of prey but salmon provide an important component of their diet when they are available. The passive acoustic monitoring in this area identified a large number of bray calls which, to date, have only been associated with salmonid prey. Salmon are a preferred prey because they have a high nutritional and calorific value.

The Glen Earrach pumped storage scheme therefore has the potential to impact on the bottlenose dolphin feature through impacts on the numbers of migrating salmon exiting the Ness catchment and also potentially reducing the numbers of returning fish.

Any assessment should consider the same impact pathways for Atlantic salmon as discussed above, given the importance of Atlantic salmon to the bottle-nosed dolphin qualifying interest

of the Moray Firth SAC. We will be happy to comment on the applicant's draft HRA for Moray Firth SAC, prior to submission.

Questions asked by the applicant in the Scoping report -

- *Do you agree that the scope of desk study and ecological field survey described in this Section is sufficient to inform the Ecological Impact Assessment element of the EIA? Please advise if there are any further studies of surveys which you consider to be necessary?*
  Please see the comments above. We also advise however, that any mitigation, particularly if it includes raising water levels in Loch Ness will need to consider wider and additional impacts on designated sites such as Urquhart Bay Woods and Ness Woods SAC.
- *Are you aware of any other sources of data on aquatic species or habitats that may be helpful to our assessment and which we may be able to access?*
  No
- *In the interests of identifying opportunities for the Development to deliver biodiversity enhancements, are there any suggestions that you may make as to how this may be best achieved in this case? Are you aware of any local projects to which the Development could contribute, for example?*
  We defer to the Highland Council to provide comment on biodiversity enhancement opportunities.

4. Ornithology

The development will be located around 4km from North Inverness Lochs Special Protection Area (SPA), selected for Slavonian Grebe. **We will be happy to comment on the applicants draft HRA for the SPA, prior to submission.**

Questions asked by the applicant in the Scoping report –

- *Do you agree that the scope of desk study and ecological field survey described in this Section is sufficient to inform the Ecological Impact Assessment element of the EIA? Please advise if there are any further studies of surveys which you consider to be necessary.* – **We agree that the desk study and ecological field study should be sufficient. However, please note we have recently become aware that Slavonian grebe are nesting in other non-designated lochs across the area and we have also recently become aware that Golden Eagle may be nesting on crags near to the proposed upper reservoir.**
- *Please confirm that you agree that ornithological survey covering one year will be sufficient to inform the EcIA, and that two years of bird survey will not be necessary.* - **Although we agree that a survey covering one year may be sufficient, it will depend on the results, which we will be happy to advise on. Therefore, the applicant should schedule enough time into the survey programme to allow for a second year of surveys, should they be required.**
- *Are you aware of any other sources of data on bird species that may be helpful to our assessment and which we may be able to access?* – **Please contact us directly to discuss**
- *In the interests of identifying opportunities for the Development to deliver biodiversity enhancements, are there any suggestions that you may make as to how this may be best achieved in this case? Are you aware of any local projects to which the Development could*

contribute, for example? – **we defer to the Highland Council to provide comment on biodiversity enhancement opportunities.**

5. Geology and Ground Conditions

We know from other schemes of this nature that spoil from tunnel operations can have the potential to raise further impacts. Therefore, we advise that detail of spoil management is fully detailed in any application going forward.

We advise that the applicant follows our detailed guidance on peatland, carbon-rich soils and priority peatland habitats: https://www.nature.scot/doc/advising-peatland-carbon-rich-soils-and-priority-peatland-habitats-development-management

We will be happy to comment on any Peatland Restoration Plan if required

6. Mitigation and restoration plans

We advise that a schedule of mitigation is provided which clearly details all measures required to minimise the impacts of the scheme. And which considers potential impacts the mitigation measures may also cause other designated sites and species.

ELECTRICITY ACT 1989

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

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR GLEN EARRACH PUMPED STORAGE HYDRO – Response from Ness District Salmon Fishery Board

The Ness District Salmon Fishery Board (Ness DSFB) is a statutory body responsible for the protection and enhancement of migratory salmonid (salmon and sea trout) populations in the Ness catchment, which includes the waterbodies affected by the proposed Glen Earrach pump storage hydro scheme.

Ness DSFB would like to make the following comments and observations on the Glen Earrach Pump storage hydro (PSH) Scoping Report.

Overview

Glen Earrach PSH will utilise Loch Ness as the lower reservoir. As noted in Chp. 7 of the Scoping documents "*migratory species Atlantic salmon and brown/sea trout have the propensity to be within the vicinity of the Development during their migrations as both adult and juveniles. As such, there is a potential direct impact pathway to these species once the Development is operational*". This reason, and many others, highlights the unsuitability of Loch Ness for the current proliferation of PSH proposals. There is global interest in PSH, but elsewhere sensitive receptors, such as Loch Ness, are protected from harmful developments of this nature.

In response to the proliferation of PSH schemes proposed for Loch Ness, Ness DSDB commissioned the Norwegian Institute for Nature Research (NINA) to investigate the impact of pump storage hydro generally, and specifically on Loch Ness. The report found that "*Overall, we found a lack of knowledge about how Atlantic salmon migrate through the loch, which is imperative for understanding how closely they will encounter the proposed projects. We also found a lack of knowledge about how the new PSH schemes might impact the flow patterns and temperature regimes in Loch Ness, which will have implications for migrating salmonids and the broader aquatic community in the loch*". These concerns remain outstanding. The NINA report is available to download here.

The potential for harm arising from the Glen Earrach is exacerbated by the cumulative impact of what could be four PSH schemes all utilising Loch Ness as the lower reservoir (Foyers/Red John/Kemp/Glen Earrach). The potential daily drawdown if all four schemes were operating on the same cycle is in the order of 1m, potentially up to 1.2m, if the worst-case scenario figures illustrated in the Loch Kemp EIA are used.

The main concerns of Ness DSFB regarding the cumulative impact of existing, consented and proposed PSH on Loch Ness, and associated watercourses include:

- Potential for delay and enhanced predation of Atlantic salmon smolts in the vicinity of PSH inlet/discharge structures. This could apply to all salmon smolts migrating through Loch Ness, but in particular those originating from the River Moriston SAC, which is located a few

kilometres to the south west of the proposed Glen Earrach inlet/discharge structure. Any negative impacts on salmon smolts will affect Atlantic salmon at a population level, impact rod-catches, and adversely affect all associated predator species, such as the Moray Firth Bottle-nose dolphins.

- PSH schemes have the potential to affect water temperatures in both the upper and lower reservoirs (Bonalumi, et,.al, 2012, Harby et al,. 2013). PSH has the potential to influence water temperatures through frictional losses during generation and pumping, and by solar radiation transfer e.g. when an empty upper reservoir is filling on a sunny day, and to disrupt thermocline formation and stability. Thermal changes could occur in the opposite direction when upper reservoirs are filled during cold weather. These impacts are acknowledged in 10.7.2 of the Scoping document. If all current and proposed PSH schemes were operational at full capacity on Loch Ness the volume of water turned over in a 24hour period could be as high as 58Mm3, which is equivalent to greater than 1m of water across the entire loch. Under summer time stratified conditions, this could result in the water above the thermocline being overturned in less than 20 days. The implications of such a high level of PSH activity on the temperature regime and stability of loch stratification are potentially profound.
- Daily drawdowns in the region of 1m will be highly detrimental to the shoreline ecology of Loch Ness. Rapid and frequent drawdowns are known to be highly damaging to shoreline invertebrates and would result in impoverished littoral invertebrate populations. This will result in knock-on impacts on species dependent on the invertebrate population including Atlantic salmon, brown trout, eel, and shoreline bird species such as Sandpiper.
- The impact of such large loch level fluctuations on flows in the River Ness will be transformative. When Foyers PSH was built in the 1970s water gates were constructed on Dochfour Weir, for the purpose of smoothing out the fluctuations caused by the operation of Foyers PSH on the River Ness. These gates were built to mitigate the impact of a single, relatively small PSH scheme, although in reality, the operation of these gates has struggled to fulfil that single purpose. Quite how impacts of Loch Ness drawdowns in the order of 1m will be mitigated remains to be seen.
- The interests of Ness DSFB are primarily centred on the ecology of the Ness catchment, but it is clear from discussions with other organisations, and businesses, operating on the loch that low loch levels already cause problems. The minimum level of Loch Ness is protected, to an extent, by the agreement between SSE and Scottish Canals regarding safe navigation, although the level did drop below the minimum in May 2023. Given the potential competition for water resources in Loch Ness it is certain that minimum water levels will become much more frequent (a daily occurrence.
- Under National Planning Framework 4 developments such as PSH will only be supported '*where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention'*. This remains the most significant challenge for PSH on Loch Ness.
- The Scoping document provides an indicative location for the substation, but says nothing about the grid connection infrastructure nor route. It was clear at the "public engagement" event staged by Glen Earrach in Drumnadrochit that this issue was of great significance for local residents, many of whom were frustrated by the lack of information.

Potential Impacts of Proposal

Cumulative water movements

The volumes of water moved during pumping and generation for the Glen Earrach scheme have not yet been published but given the 27Mm^3 headwater storage and 15hours duration quoted in the scoping document the flow rate during generation must be in the order of 500m^3/s. Combining this with published figures for the other three existing, or consented schemes on Loch Ness, the cumulative volume of water moved by the four schemes, during generation, would be in the order of 1300m^3/s. The combined rate of abstraction during pumping will be in the order of 1100m^3/s. To put that into context, the mean flow in the River Ness is 90m3/s and the highest flow recorded was 800m3/s in February 1989. The 1989 flood was the highest flow recorded in modern times and resulted in significant damage including the loss of the railway bridge across the lower River Ness. The combined pumping capacity of the four PSH schemes, existing and proposed, would be greater than the highest flow recorded in the River Ness. Pumping that volume of water could occur on a daily basis in Loch Ness.

The implications from such large water movements on the thermal profile and stability of natural processes, such as stratification, in Loch Ness are not understood, but are likely to be profound.

Salmon smolt migration

All salmon smolts emigrating from tributaries of Loch Ness will have to pass within close proximity to one or more of the pump storage hydro schemes. Ness DSFB are not aware of any research examining the interaction between migrating salmon smolts and PSH intakes, during pumping or generation. Our concern is that salmon smolts will be attracted to intakes during pumping (when they will act as a proxy efferent river) where they will be subject to delay and likely enhanced predation.

We know from earlier tagging studies that salmon smolts experience difficulty in exiting lochs, including Loch Ness. Loch Ness smolts are subject to additional challenges due to the presence of the Caledonian Canal, with a varying proportion of the smolts known to enter the canal at the Dochgarroch bifurcation, with subsequent poor survival rates. Smolts emanating from the River Garry face further canal associated risks before they enter Loch Ness. At Cullochy Locks, and at Laggan, smolts are attracted into the canal, with some leaving the Ness catchment to enter the Lochy.

Shoreline ecology

Rapid and frequent drawdown/inundation cycles is extremely damaging to the littoral ecology. Smith et al. (1987) found that the richest littoral invertebrate communities were found in lochs with annual water level fluctuations (AWLF) of less than 5 metres and weekly water level fluctuations (WWLF) of less than 0.5 metres. Where the AWLF is greater than 5 metres, or the WWLF is greater than 0.5 the invertebrate community was impoverished. The scale of PSH operation planned for Loch Ness will degrade the littoral invertebrate from its current good status to impoverished.

Downstream flows

When Foyers was built the potential to impact flows on the River Ness was recognised. This impact was mitigated by the construction of water gates on the right bank of Dochfour Weir. The Glen

Earrach scoping document proposes no new mitigation to counteract what will be huge variations in River Ness flows as a result of large and frequent fluctuations in the level of Loch Ness. The implication in section 11.6.2 is that the existing gates would be adequate mitigation to cope with the impact of the Glen Earrach scheme. Foyers PSH typically alters the level of Loch Ness by 0.09m. The cumulative variation in Loch Ness **is very likely to be as** high as ten times that arising from Foyers PSH operation. This means that water could go from spilling over the entire 500m long crest of Dochfour Weir, **to merely passing down the fish pass alone**, within a matter of hours. The range in flow variation that could occur in the River Ness will be increased greatly above the existing situation, and potentially well beyond what the Dochfour gates could mitigate. Neither the Glen Earrach scoping, nor the Loch Kemp planning documents address this issue.

Comments on the Scoping document

Clause 1.3: The Applicant claims that the Glen Earrach site "*might be one of the most important PSH sites in Europe, because of its location in relation to the grid, its topology, hydrology and geology*". Given the head available the Glen Earrach site may well have some advantages from a generation perspective (financial) but this claim needs to be challenged as for every other metric it appears to be one of the least suitable sites. The biodiversity, environmental and social issues arising from the development of Glen Earrach would be considerable, as would the impacts on indigenous businesses and the local service and tourism economy. Universal concerns regarding pump storage hydro mean that, globally, sensitive locations such as Loch Ness would be protected from harmful developments such as these, including in the UK (SQW, 2011) and internationally off-stream, or closed-loop schemes are prioritised (Stantec, 2023., and National Hydropower Association, 2021).

The focus on drawdown per GWh avoids drawing attention to the actual drawdown. Readers have to wait until Section 2.7.4.5 for that information.

Clause 2.5: This quote highlights a key design parameter i.e., that the scheme was conceived to run for a full 15hours '*and capacity required to achieve a single continuous generating/pumping cycle of 30 GWh'*. This would result in a change in the level of Loch Ness by at least 42cm, potentially as high as 48cm, given the storage capacity of the upper reservoir. This design parameter statement contradicts claims made elsewhere that it is "*unlikely that the scheme will fully empty then immediately fill*" (Clause 2.7.4.5).

Table 2.2: The working volume of the upper reservoir is stated as 27Mm^3. As the surface area of Loch Ness is 56.4km2, the release of the full working volume from the upper Reservoir would increase the level of Loch Ness by 47.8cm, or deplete by the same amount during pumping.

Clause 2.7.4.5: This quote '*A management/water use agreement will need to be confirmed with other water users in the Ness catchment to ensure there is sufficient water resource for all parties*', is interesting as previous CAR licences for Foyers and the Red John scheme (now Loch na Cathrach) implied that SEPA were taking a tiered approach to issuing CAR licences, including stop-generation water levels. For example, the CAR licence for Foyers permits the operator to pump until the loch level reaches 15.27m AOD. However, the equivalent CAR licence stop-generation figure for Red John is 15.33m. If the same approach is taken for Loch Kemp, and any subsequent PSH schemes, each

successive scheme will be constrained to an even greater extent. Our own analysis for the Loch Kemp scheme concluded that it would be constrained for much of the year, and that there was simply no water left for any additional schemes. We request that a full water resource model is produced by Glen Earrach, looking at the cumulative impacts of multiple schemes sharing the same lower reservoir, and that the extent of potential constraints on the operation of each scheme can be understood by all.

The estimated drawdown in Loch Ness is stated at 46cm, which is lower to the calculated value above (Table 2.2 section).

Clause 4.2.2: Figures from Aurora Energy are quoted for the National requirements for long-duration electricity storage. We have seen many differing claims regarding the requirement for storage, which must be constantly changing given the rapid rise in battery energy storage systems. NPF4 creates a presumption in favour of PSH, without providing any guidance regarding the quantity or location. Hence, we now face the situation where developers compete to pump the last available water in Loch Ness dry.

Clause 6.4.2: What will happen to peat/blanket bog within the inundated area of the upper reservoir? It would be unacceptable for soils and peat to be inundated. This would result in erosion, fragmentation, liquification, and ultimately transfer into Loch Ness where it would cause discolouration, of an otherwise relatively clear loch, and settlement on the loch bed, with deleterious impacts for its fauna.

Clause 7.2.4: We note that Bottle nosed dolphins are recognised as being potentially at risk. We have argued previously that any diminution in the Ness salmon population will have wider ecosystem effects, most notably on the frequency and abundance of dolphins at natural narrowings (where migrating salmon are concentrated) such as Chanonry Point. Being highly efficient topline predators, dolphins will likely take a certain number of salmon annually. If numbers of emigrating smolts are depleted due to the proliferation of PSH, then the number of adults returning from their ocean migration and reaching the River Ness (after running the dolphin gauntlet) may be compromised to the extent that egg deposition is severely impacted, thus triggering a downward population spiral, with trophic level impacts on the Moray Firth dolphin population. The sight of dolphins feeding on returning adult Atlantic salmon, within metres of the shoreline, at Chanonry, is arguably the greatest wildlife spectacle in the Highlands and an irreplaceable biodiversity highlight.

Clause 7.3: We ask for clarity regarding this statement '*The potential impact on salmon smolts will be considered against existing data '*.

Clause 7.4.2: 'Loch nam Breac Dearga (Translated as 'Lake of the Red Trout' – arctic char)'. We have heard alternative translations e.g., Loch of the red speckled Trout. Maitland & Campbell, 1992, record that Breac is the Scottish gaelic for brown trout, with Tarragan cited as gaelic for Charr. We are aware of anecdotal reports of Arctic charr in Loch nam Breac Dearga, but this would need to be confirmed.

Clause 7.5.3.2: The proposal to use eDNA to establish the fish population of nam Breac Dearga is welcomed. The Centre of Expertise for Water (CREW) recently organised a workshop on

Methodologies for Sampling Fish Populations in Scottish Freshwater Lochs. The report from this workshop is available here. This report should guide the fish population assessment and monitoring requirements for the Glen Earrach PSH in Loch nam Breac Dearga and Loch Ness.

Clause 7.5.3.3: Given the extent of the potential drawdown on the entire littoral zone of Loch Ness, invertebrate sampling in Loch Ness should be comprehensive, and cover a range of habitats, including shallow bays, and beaches, where the impact of drawdown would be much greater than on steep rocky shorelines, as occur in the vicinity of the proposed intake structure.

Clause 7.6: To the list of Potential Significant Effects on Atlantic salmon we would add the potential for delay and enhanced mortality of migrating smolts attracted to the vicinity of PSH intakes during pumping. Otherwise, the list of potential scheme effects is comprehensive.

Clause 10.7.2: We note that the scoping document recognises that there may be impacts on Loch Ness water temperature, and thermal stratification (local). In order to address these concerns, we request that the developers commission a study to report on potential impacts of the Glen Earrach scheme on the water temperature profile of Loch Ness and its potential impact on natural limnological processes such as thermal stratification.

Clause 11.4.11: We note the mantra '*Unusually for an oligotrophic water body, water clarity is very poor due to the presence of humic acids leached from the peat rich soils in the surrounding catchment'* is quoted. The River Ness is known for the clarity of its water and compared to many similar Scottish lochs water clarity is relatively clear. We regard Loch Ness as being a relatively clear loch.

Clause 11.5.1: We expect the cumulative water resources assessment to be comprehensive and to take into consideration all potential uses of water in Loch Ness. This assessment should detail the water resource availability and allocation for existing and prospective PSH schemes, potential stop-generation levels and implications for scheme curtailment.

Clause 11.6.2: We disagree strongly with paragraph 3 in this clause. Mitigation of flows in the River Ness due to variations in the level of Loch Ness is the elephant in the room as far as PSH developers on Loch Ness are concerned. Anyone with knowledge of Dochfour Weir, a very large water level regulating structure, on flows in the River Ness, will understand that small variations in the level of Loch Ness can result in large changes in river flows. The range in loch level variations and the rapidity with which they could occur if all proposed PSH schemes are built will mean that the River Ness would be transformed from a very stable flow regime into a hydro-peaking river, with all the detrimental impacts that will entail. In our response to the Loch Kemp planning application, we documented the previously stated aspiration of its developers to increase the height of Dochfour Weir so that additional water could be stored in Loch Ness to improve the viability of that scheme. That aspiration was not mentioned in the Loch Kemp planning application, but it is likely to follow in subsequent applications. The question whether Glen Earrach intended to submit an application to raise the height of Dochfour Weir was put directly to Roderick Macleod, Glen Earrach Director, at a roundtable discussion (Drumossie Hotel, 23rd May 2024). The answer was not at present, or words to that effect.

Clause 11.7.2: We note that the wording regarding mitigation, in the eventuality that, *'existing downstream abstraction arrangements are found to be significant*' is vague. The development of operational rules to manage water conflicts, especially with pre-existing operators, will be challenging for new entrants to PSH in Loch Ness.

Table 16.1: The baseline data shown in Table 16.1 focusses on air temperature and precipitation. The scope for baseline data needs to be extended to include water temperatures in Loch Ness and the River Ness.

Table 16.3: Climate change associated changes in precipitation are likely to result in drier summers, placing greater pressure on water resources in Loch Ness. For example, in May 2023, Loch Ness experienced a record low level, an event that appears to be associated with abstraction at Foyers PSH. This is an example of the impact of one, relatively small PSH scheme on Loch Ness, encountering water resource limitations. We ask that Glen Earrach developers produce a water resource model, including all existing and proposed water demands. This model needs to factor in climate change driven precipitation predictions.

Closing remarks

The points raised in this scoping response reflect our current understanding of the issues arising from the proposed Glen Earrach pump hydro scheme. Given the degree of interest in pump storage hydro in Loch Ness we reserve the right to submit further comments if new issues arise, or further pump storage proposals for Loch Ness emerge.

It is not possible to separate our previously expressed concern regarding the proliferation of pump storage hydro on Loch Ness from this scoping response but we hope that our response has been constructive where required and clear when further studies and work have been identified.

Pleased do not hesitate to get back in touch if clarification is required.

Brian Shaw

Director, Ness District Salmon Fishery Board

6th June 2024

References

Bonalumi, M., F. S. Anselmetti, A. Wüest, and M. Schmid (2012), Modeling of temperature and turbidity in a natural lake and a reservoir connected by pumped-storage operations, Water Resour. Res., 48, W08508, doi:10.1029/2012WR011844

Harby et. al., Pumped storage Hydropower. In Transition to Renewable Energy Systems, edited by Detlef Stolten and Viktor Scherer. Wiley-VCH, 2013.

Maitland, P.S, & Campbell, R,N. British Freshwater Fishes, Collins New Naturalist Series, HarperCollins Publishers 1992.

National Hydropower Association, 2021. https://www.hydro.org/wp-content/uploads/2021/09/2021-Pumped-Storage-Report-NHA.pdf

SQA, 2011. Cumbria Renewable Energy Capacity and Development Study 12444 - Cumbria CC - Renewable Energy Study - Final Report 12 September 2011

Smith, B.D., Maitland, P.S. and Pennock, S.M. (1987). A Comparative Study of Water Level Regimes and Littoral Benthic Communities in Scottish Lochs. Biological Conservation 39: 291-316.

Stantec, 2023. Technical and Economic Potential Assessment of Pumped Storage Hydropower in Canada. https://waterpowercanada.ca/wp-content/uploads/2023/08/stantec_ps_final_en.pdf

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

Network Rail
Town Planning
151 St Vincent Street
Glasgow
G2 5NW

Martin Henderson
Town Planning Technician

Planning reference: ECU00005121
Case Officer: Carolanne Brown

E-Mail:
TownPlanningScotland@networkrail.co.uk

Network Rail ref: 147 2024
29/05/2024

Dear Ms Brown,

THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR GLEN EARRACH PUMPED STORAGE HYDRO

Thank you for consulting Network Rail regarding the above development.

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

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

Yours sincerely

REDACT

Town Planning Technician

From: ONR Land Use Planning
To: Econsents Admin
Subject: ONR Land Use Planning - Application ECU00005121
Date: 15 May 2024 15:44:26

Dear Sir/Madam,

With regard to planning application ECU00005121, ONR makes no comment on this proposed development as it does not lie within a consultation zone around a GB nuclear site.

You can find information concerning our Land Use Planning consultation process here: (http://www.onr.org.uk/land-use-planning.htm).

Kind regards,

Land Use Planning
Office for Nuclear Regulation
ONR-Land.Use-planning@onr.gov.uk

----Original Message----
From: Carolanne.Brown@gov.scot <carolanne.brown@gov.scot >
To:
Cc:
Sent: 15/05/2024 11:58
Subject: Scoping Request for Glen Earrach Pumped Storage Hydro - ECU00005121

Dear Consultee,

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

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR GLEN EARRACH PUMPED STORAGE HYDRO

On **26 April 2024**, AECOM on behalf of Glen Earrach Energy Ltd (the Applicant) submitted a request for a scoping opinion from the Scottish Ministers for the proposed section **36** application for the **Glen Earrach Pumped Storage Hydro**. The proposed development is for a PSH scheme utilising the existing Loch nam Breac Dearga located on the Northwest side of Loch Ness, approximately 9.5 km to the south of Drumnadrochit, and 6.5 km north of Invermoriston within **The Highland Council administration region**, in line with regulation 12 of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017.

Under regulation 12, Scottish Ministers are required to provide a scoping opinion outlining the information they consider should be included in the EIA report. Ministers are also required to consult the relevant consultation bodies and any other interested party which is likely to have an interest in the proposed development by reason of its specific environmental responsibilities or local and regional competencies.

The scoping report and supporting information can be viewed at the Scottish Government's

Energy Consents Unit website www.energyconsents.scot by:

- clicking on ***Search*** tab; then,
- clicking on ***Simple Search*** tab; then,
- typing **Glen Earrach Pumped Storage Hydro** into ***Search by Project Name*** box then clicking on ***Go***;
- then clicking on **ECU00005121** and then click on ***Documents*** tab.

To allow Scottish Ministers to provide a comprehensive scoping opinion, we ask that you review the scoping report and advise on the scope of the environmental impact assessment for this proposal. Please advise if there are any further matters you would like Ministers to highlight for consideration and inclusion in the assessment, particularly site-specific information.

I would be grateful for your comments by **06 June 2024.** Please note that reminders will not be issued, therefore if we have not received any comments from you, nor a request for an extension to this date, we will assume that you have no comments to make.

Please send your response (in PDF format if possible) to Econsents_Admin@gov.scot. (please note the underscore _ between Econsents and Admin).

Kind regards

Carolanne Brown

Carolanne Brown, Case Officer, Onshore Electricity, Strategy and Consents
Directorate for Energy and Climate Change | Scottish Government | 5 Atlantic Quay, 150 Broomielaw, Glasgow G2 8LU
e-mail: carolanne.brown@gov.scot

Please note I am currently working from home but I am contactable via Microsoft Teams
My working Hours are Monday to Thursday 07:00 – 14:50 and Fridays 07:00 – 12:00

Advanced Notice of annual leave:

24 May 2024 - 27 May 2024

This email has been scanned for viruses and malicious content, but no filtering system is 100% effective and this is no guarantee of safety or validity.

Carolanne Brown
Onshore Electricity, Strategy and Consents
Scottish Government

By email to: Econsents_Admin@gov.scot

30 May 2024

Dear Carolanne

ELECTRICITY ACT 1989 THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR GLEN EARRACH PUMPED STORAGE.

Thank you for consulting RSPB Scotland on the EIA scoping for the above proposal. RSPB Scotland is supportive of renewable energy and acknowledges the need for energy storage solutions, but developments must be carefully sited to avoid negative impacts on sites, habitats and species. The highly linked nature of the climate and nature crises further underscores the importance of nature positive development.

If pumped storage is to play a role in tackling climate crisis a strategic approach is required that will enable a balanced appraisal of the most appropriate locations for these developments that will have the least environmental impact.

The proposed development area is adjacent to the North Inverness Lochs Special Protection Area (SPA), designated for its population of breeding Slavonian Grebe. Due to the nature of the development and its location, it the would have likely significant effects on the SPA and has potential to impact on other critically important Slavonian grebe breeding lochs in the area which are linked to the SPA population.

Scottish Government, as competent authority, is required by Habitat Regulations to undertake an Appropriate Assessment of the effects of the proposal on the SPA and its species in light of the site's conservation objectives.

The EIA Report must include sufficient information to inform the Appropriate Assessments. If the potential impacts of the proposal cannot be sufficiently mitigated and there could be adverse impacts on the integrity of European sites it is unlikely that the proposal could be supported.

Further details are provided in Annex 1 along with advice on data sources, survey methods and mitigation.

Yours Sincerely

REDACT

Alison Phillip
Conservation Officer – South Highland

RSPB North Scotland
Inverness Office
Etive House, Beechwood Park
Inverness
IV2 3BW

Tel: 01463 715000
@RSPBScotland
@RSPBScotland
rspb.org.uk/Scotland

Annex 1 – RSPB Scotland Further comment

North Inverness Lochs SPA

The Dubh Lochs are part of the North Inverness Lochs SPA and Dubh Lochs Site of Special Scientific Interest (SSSI), both designated for breeding Slavonian Grebe.

Slavonian Grebe is a rare, red listed breeding bird, and in the UK are confined as a breeding species to an area within 30 miles of Inverness. Only 15 pairs were recorded in 2023, with numbers having declined from a high of over 80 pairs in the 1980's. Every remaining breeding loch is now critical to sustaining the population. Slavonian Grebes can move between sites in March/April before settling on a loch to breed, and also move between lochs during the breeding season, with most movements taking place at night using unknown routes. As such, there is likely ecological connectivity between the Dubh Lochs (which are within the SPA) and lochs in the surrounding area. Sufficient information must be gathered to inform the EIA and a Habitats Regulations Appraisal.

Given the scale of the proposal, long-term nature of the impacts and importance of this area for Slavonian grebes **we strongly recommend a minimum of two years of waterfowl surveys**, paying particular attention to any areas of bottle sedge and willow on lochan edges in May/June where Slavonian grebes may nest. As well as considering potential for disturbance, and habitat loss, any assessment undertaken must consider the impacts that any changes in hydrology may have on Slavonian grebe as the qualifying feature of the SPA.

Given the importance of this area for this species we would expect any application to identify and include appropriate mitigation and significant enhancement measures that would benefit the species and suggest this takes the form of a Slavonian Grebe Conservation Plan.

Slavonian Grebe are present on other non-designated lochs within the proposed development area. **RSPB Scotland holds the Slavonian grebe dataset, which includes records for North Inverness Lochs SPA, as well as other breeding lochs within the proposal area. The data can be supplied via a data request and we are of the opinion that this will be vital to inform an assessment.**

Birds of Conservation Concern

The proposed Application site and the surrounding area is used by a number of other Schedule 1 of the Wildlife and Countryside Act and/or Annex 1 of the EU Birds Directive species as well as other species that are red or amber listed as being of conservation concern and impacts on these species should be fully assessed.

Given the scale of the development, and the presence of priority species such as raptors, divers and black grouse we strongly recommend that two years of survey work is undertaken to ensure that appropriate data is available to inform the assessment.

Biodiversity Enhancement

We believe that development should leave nature in a better state than before it took place. We welcome NPF4's commitment to deliver positive effects for biodiversity through development. Policy 3 states that, 'Development proposals for national or major development or for development that

RSPB North Scotland
Inverness Office
Etive House, Beechwood Park
Inverness
IV2 3BW

Tel: 01463 715000
Facebook: @RSPBScotland
X: @RSPBScotland
rspb.org.uk/Scotland

requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention'.

It goes on to list a number of criteria which applicants must demonstrate they have met, including 'significant biodiversity enhancements are provided, **in addition to** any proposed mitigation'.

Early consideration of how positive effects for biodiversity will be delivered is encouraged. Any mitigation, compensation and enhancement measures should be clearly and separately identified within the EIA. NatureScot guidance[4] recommends 'that restoration to achieve offsetting (i.e. compensation rather than biodiversity enhancement) would be in the order of 1:10 (lost: restored)' plus 'an additional 10% of the baseline assessment of the extent of priority peatland habitat for biodiversity enhancement'.

An Outline Biodiversity Enhancement Management Plan (OBEMP) (or similar) should be presented as part of the EIA. We recommend that as much detail as possible is provided at the application stage and that what is proposed as enhancement measures (as separate from any required mitigation and compensation) are clearly set out.

We would recommend consideration of actions such as maximising bog restoration to increase biodiversity and climate benefits, deer control to enable natural regeneration of native woodland, diver rafts, and a species-specific management plan for Slavonian grebe.

The OBEMP should include a comprehensive monitoring programme for any habitat improvements, breeding birds on the site and SPA-featured species.

Additional Comments

We note that the construction period is anticipated to last for 8 years and workers will need to be accommodated on or near the site. The impact of any such accommodation, alone and in-combination with the main PSH scheme need to be considered as part of the EIA.

RSPB North Scotland
Inverness Office
Etive House, Beechwood Park
Inverness
IV2 3BW

Tel: 01463 715000
Facebook: @RSPBScotland
X: @RSPBScotland
rspb.org.uk/Scotland

RYA SCOTLAND

Caledonia House
1 Redheughs Rigg
South Gyle
Edinburgh, EH12 9DQ

Tel: 0131 317 7388
www.ryascotland.org.uk

22 May 2024

Carolanne Brown,
Case Officer, Onshore Electricity, Strategy and Consents
Directorate for Energy and Climate Change
Scottish Government
5 Atlantic Quay,
150 Broomielaw,
Glasgow G2 8LU

carolanne.brown@gov.scot

Dear Ms Brown,

Glen Earrach Pumped Storage Hydro

I have read the scoping report on behalf of RYA Scotland. Although Loch Ness forms part of the important and well used route for recreational and other craft between the Moray Firth and Loch Linnhe using the Caledonian Canal, the proposed scheme is not expected to have a significant impact on them. Recreational boating can thus be scoped out of the EIA.

Yours sincerely,

REDACT

Dr G. Russell FCIEEM(retd) FRMetS
Planning and Environment Officer, RYA Scotland

Canal House
1 Applecross St
Glasgow G4 9SP
www.scottishcanals.co.uk

Tel: 0141 332 6936

John Paterson
Chief Executive

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

17 06 2024

Your Ref: ECU00005121

Dear Energy Consents Unit

RE: Glen Earrach Pumped Storage Hydro - ECU00005121

ELECTRICITY ACT 1989 THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR GLEN EARRACH PUMPED STORAGE HYDRO

Thank you for the opportunity to comment on the above application. Scottish Canals (SC) has reviewed the Environmental Scoping Report for the proposed development and has the following comments.

SC supports and endorses Scotland's net zero ambitions. We recognise the opportunity that pumped hydro schemes present to contribute to achievement of these ambitions and are keen to play our part, working with scheme operators where possible.

The hydro schemes will form part of the same water cycle, which is inextricably linked to the Caledonian Canal, a scheduled ancient monument subject to the Ancient Monuments and Archaeological Areas Act 1979. This national monument is an operational asset which is protected by scheduled monument status and all potential or planned impacts upon it require careful consideration. Loch Ness itself is a key element of the route for the Caledonian Canal for which SC has a statutory navigation duty.

SC is aware that the proposed Glen Earrach scheme is one of four such schemes and given the shared access to the same water cycle, especially that which could affect the water levels in Loch Ness and River Ness. For this reason, the design parameters and associated mitigation associated Glen Earrach scheme must be fully considered with regard to those associated with the other proposed schemes, so that each of their cumulative effects on the water system, environmental impacts and impacts on the Caledonian canal and its stakeholders can be fully appraised as completely linked entities (i.e. assessed by the regulatory regime as interlinked and unavoidably combined proposed developments).

Statutory context

Please note the following SC's statutory duties and powers in relation to the Proposed Development.

Scottish Ministers are responsible for the oversight of the canal maintenance obligations of Scotland's canal network. The British Waterways Board operating as Scottish Canals ("Scottish Canals") as a Non Departmental Public Body manages Scotland's canal network on behalf of the Scottish Ministers.

Statutory Duties and Powers

Following the transfer of the functions of the British Waterways Board in England and Wales to the Canals and River Trust in July 2012 the statutory legal framework has been adapted for application in Scotland only.

Scottish Canals' core statutory duties are set out in:

The Transport Act 1962

Under section 10(1) of the 1962 Act, SC has general duties:

"to provide to such extent as they may think expedient

(a) services and facilities on the inland waterways owned or managed by them, and

(b) port facilities at any harbour owned or managed by them,

and to have due regard to efficiency, economy and safety of operation as respects the services and facilities provided by them."

The Transport Act 1968

The Transport Act 1968 recognised the changing role of canals at a time when their use for freight distribution was in decline and the waterways leisure industry was in its infancy. Section 104 of the 1968 Act provides that the inland waterways comprised in the undertakings of Scottish Canals "shall" be divided into the categories of (1)

commercial waterways; (2) cruising waterways and (3) the remainder, with different levels of maintenance obligations for each category.

The Caledonian Canal was classified as a commercial waterway.
The obligations relating to commercial waterways are set out under Section 105(1)(a), which provides:
"(1) With a view to securing the general availability of the commercial … waterways for public use, it shall be the duty of Scottish Canals
(a) to maintain the commercial waterways in a suitable condition for use by commercial freight carrying vessels.
A serious and persistent failure to discharge this maintenance duty enables any person to make an application to the Court of Session to require remedy of that failure.

Scheduled Monument Status
The Caledonian Canal is a scheduled ancient monument and subject to the Ancient Monuments and Archaeological Areas Act 1979.

It is an offence to carry out works to scheduled ancient monuments without scheduled monument consent. It is also open to Historic Environment Scotland and the Scottish Ministers to take enforcement action against a person who executes such works without consent.

It is also an offence to destroy or damage a protected monument without reasonable excuse (section 28 Ancient Monuments and Archaeological Areas Act 1979).

Scoping report general comments
We note that SC, which has an important statutory role in the management of Loch Ness as both a water supply for the Caledonian Canal and has a navigation authority on Loch Ness, has not been consulted in the preparation of the scoping report. We therefore request that SC is consulted fully during the preparation of the Environmental Impact Assessment (EIA).

SC welcomes that the Caledonian Canal is referred to on four occasions in the scoping report regarding transportation of large items of equipment during the construction phase, the impacts on fish passage at Ness Weir at the northern end of Loch Ness and the water level fluctuations in Loch Ness and water supply to the Caledonian Canal (Sections 2.7.2.2, 7.7, 10.7.1 and 11.4.1.1 respectively).

Scoping report chapter comments

7. Aquatic Ecology, including marine ecology
Section 7.7
SC welcomes the recognition that potential solutions to mitigate impact to fish passage on Loch Ness, Ness Weir and the Caledonian Canal would need to be future proofed to take into account cumulative effects and the potential impacts of climate change thereby delivering the National Planning Framework Policy Principles to ensure that Blue Green infrastructure delivers multiple environmental functions and associated benefits.

SC requests that water level fluctuations as well as changes to water flow patterns in combination with greater variation in level changes around the Caledonian Canal assets are considered in the EIA.
Preliminary doppler surveys by the Scottish Environment Protection Agency indicate that the flow patterns at Ness Weir and the approaches to Dochgarroch Lock change with varying Loch Ness levels.

SC requests that the significance of potentially altered water flow patterns, due to the Proposed Development in combination with other pumped storage hydro schemes, on the upstream and downstream migration of salmonids and other migratory fish including eels and lamprey species in the Ness Weir and Dochgarroch areas, is reviewed and mitigation proposed as required.

Currently Scottish Canals has a smolt sluice adjacent to the Dochgarroch Lock which must be fully operational between 1st April to 1 July annually to facilitate for the movement of salmon smolts from the entrance of the canal at Loch Dochfour back to the River Ness. The assessment should consider the impact of fluctuating water levels on the efficacy of the smolt sluice and the fish pass within the Ness Weir.

9. Geology and ground conditions
Section 9.3
Scottish Canals requests that the potential impact of fluctuating water levels on Caledonian Canal operations with regard to the available navigable depth is included in the EIA. Sediment deposition from non controlled river discharges create deltas within the canal approaches near Dochgarroch. The Dochfour Burn in particular, creates a hazard to navigation during normal water levels. Fluctuating water levels on Loch Dochfour may make the requirement to dredge the outfall of Dochfour Burn more frequent and urgent, as shallower water pushes deeper drafted vessels across the channel, compromising the ability for vessels to pass in this area. The creation of a stilling basin on the Dochfour Burn upstream of the discharge point to the canal should

be assessed as a possible solution in dealing with the sediment delta deposited in the canal, at low water levels.

10. Water Environment
Section 10.7.1
SC welcomes the consideration of potential for adverse impacts on the water environment because of construction of a temporary dock in Loch Ness to facilitate the use of the Caledonian Canal as a transport route for larger items during the construction phase. Please also note the comments on chapter 13 below

11. Flood risk and water resources
11.4.1.1 Loch Ness
SC notes that Loch Ness is identified in the scoping report as a water source for the northern section of the Caledonian Canal.

The provision of sufficient water resources is fundamental to the safe operation of the Caledonian Canal and preservation of the scheduled heritage assets.

Any proposed reduction (under provision compared to historic flows) of water to the canal is likely to serious compromise the ability to maintain navigable status as required by statute. Any alterations from the developments which may result in over provision of water presents risks to the several aging engineered assets and levels to which engineered assets are designed.

The developments could potentially impact by resulting in water levels on Loch Ness and adjacent canal, which could exceed canal design parameters, presenting risks of infrastructure failure and /or overtopping and flooding.

It is therefore imperative that the projected impacts of climate change are included in the hydrological modelling for all proposed and current pumped storage schemes on Loch Ness and that this considers the navigation function, recreational value, and potential asset fatigue of the Caledonian Canal where it interfaces with Loch Ness at Fort Augustus, Ness Weir, and Dochgarroch Lock.

We also request that the impact of licensed water use at Dochgarroch Lock is considered in the EIA. SC will be able to provide flow information relating to Dochgarroch loch for inclusion in the hydrological modelling for the proposed development.

In response to Section 7.8 regarding additional studies in support of the EIA, SC requires further information on the impact of the scheme not only on Loch Ness water levels, but

also, the water flow regimes in the vicinity of our operational assets and reservoirs and any potential increased asset fatigue now, and in the future, based on UK projected climate change impacts.

In addition, the impacts of fluctuating water levels on lock operations by both operational and non SC staff needs to be considered.

12. Cultural heritage

SC requests that the scope of the EIA includes the potential impact on the Caledonian Canal's operational assets at Fort Augustus, Ness Weir, and Dochgarroch Lock.

SC requests that if the scope of the development extends to include changes to the operation and/or structure of canal assets that this is included in any updates to the cultural heritage impact assessment following full consultation with SC and Historic Environment Scotland.

The assessment should include details of how the developer will ensure that the historic, protected canal structures affected by the Proposed Development are resilient, now and in the future, to projected climate change impacts.

SC also wishes to advise that there is a process for any third party works to our structures. If required, all interfaces with the canal, including construction methodologies adjacent to the canal structure, will require Scottish Canals Third Party Works (TPW) approval. https://www.scottishcanals.co.uk/business_governance/business_opportunities_and_how_to_work_with_us/third_party_works

13. Access, Traffic and Transport

SC recognises the significant opportunity for the proposed development to use the Caledonian Canal for a variety of freight purposes.

Scottish Canals supported trial passages of water based freight in relation to the Coire Glas pumped storage hydro scheme development on Loch Lochy in late 2022.
Use of the canal to support hydro related transport can significantly reduce the number of abnormal indivisible loads on the already congested A82 and wider highland road network.

We note that the use of water borne freight has the potential to reduce the transport carbon emissions during the construction phase of the Proposed Development and request that this is included in the carbon balance assessment.

A Canal Management Plan should be also produced in collaboration with SC and other stakeholders to ensure that the operation does not adversely affect existing leisure and commercial canal traffic.

Significant investment in canal infrastructure and associated facilities will be required to ensure that the Caledonian Canal plays a full role in the hydro schemes in the Great Glen.

15. Socio-economics, Recreation and Tourism

SC requests that the potential impact of access to existing Caledonian Canal leisure and commercial moorings, including jetties and wharves around Loch Ness is included in the EIA.

SC requests that hydrological assessments, which take account of projected climate change impacts, assess the potential impacts of the Proposed Development on the use of existing Caledonian Canal operations, boat access and egress and infrastructure. This should pay particular attention to the requirements to ensure that vessels can be securely and safely tied to fixed berths and left unattended if Loch Ness levels fluctuate regularly without notice.

SC requests the assessment of the potential conflict of the proposed development construction canal traffic with those engaged in water based recreational activities on Loch Ness and the Caledonian Canal and requests that a Canal Management Plan to be developed to manage any potential issues.

The Caledonian Canal plays a significant role in the highland economy, not just as one of the most popular tourist attractions, but as a crucial element supporting the operation of numerous businesses and communities alongside and across the canal's geography. It is imperative that adequate focus is given to assessing the potential negative impact that this and other schemes may have on tourism businesses and the local communities whose prosperity relies on them.

If you wish to discuss Scottish Canals' response, please feel free to contact us via email at hydro.schemes@scottishcanals.co.uk.

Yours sincerely
REDACT

Dr Olivia Lassiere
Environment Manger

Wednesday, 29 May 2024

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk
Follow Us

Local Planner
Energy Consents Unit
5 Atlantic Quay
Glasgow
G2 8LU

Dear Customer,

Glen Earrach Pumped Storage Hydro, Loch nam Breac Dearga Northwest side of, Loch Ness, IV63 7YD
Planning Ref: ECU00005121
Our Ref: DSCAS-0110154-L44
Proposal: Construct a PSH scheme utilising the existing Loch nam Breac Dearga located on the Northwest side of Loch Ness, approximately 9.5 km to the south of Drumnadrochit, and 6.5 km north of Invermoriston within The Highland Council administration region. Headpond NGR - NH 45257 22370, Tailpond NGR - NH 47633 21197. Glen Earrach PSH will have a storage capacity of up to 30,000 megawatt hours (MWh) with up to 2,000 MW installed electrical generation capacity (subject to further investigation and feasibility works), with a gross head (vertical distance between upper and lower loch) of close to 500m.

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Please Note

- The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission

has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Drinking Water Protected Areas

A review of our records indicates that the proposed activity falls within a drinking water catchment where a Scottish Water abstraction is located. Scottish Water abstractions are designated as Drinking Water Protected Areas (DWPA) under Article 7 of the Water Framework Directive. Loch Ness supplies Invermoriston Water Treatment Works (WTW) and it is essential that water quality and water quantity in the area are protected. In the event of an incident occurring that could affect Scottish Water we should be notified immediately using the Customer Helpline number **0800 0778 778**.

Loch Ness has a very large catchment (1781km^2). The outflow/ intake of development is located between Drumnadrochit and Invermoriston on the northern side of Loch Ness. The proposed development has a lower approximate rate of change per GWh on Loch Ness than other commissioned and consented schemes (including Foyers and Red John). Although the storage capacity of the proposed Glen Earrach PSH is greater than other Loch Ness hydro schemes. The operation of Glen Earrach PSH must not reduce loch levels such that forward flow over the Ness weir is impeded or that the head of water over the Invermoriston RWI is negatively impacted. Assuming that the aforementioned statements are followed, this development will have a low impact on the yield of the Loch Ness catchment (which is in surplus); and would therefore be rated as a low-impact development with regards to water resources (quantity).

The activity could present a risk to water quality and therefore the appropriate mitigations for pollution prevention must be in place.

Scottish Water have produced a list of precautions for a range of activities. This details protection measures to be taken within a DWPA, the wider drinking water catchment and if there are assets in the area. Please note that site specific risks and mitigation measures will require to be assessed and implemented. These documents and other supporting information can be found on the activities within our catchments page of our website at www.scottishwater.co.uk/slm

We welcome receipt of this notification about the proposed activity within a drinking water catchments where Scottish Water abstractions are located.

The fact that this area is located within a drinking water catchment should be noted in future documentation. Also anyone working on site should be made aware of this during site inductions.

We would also appreciate further consultation as this development progresses and further details about the project should be sent to protectdwsources@scottishwater.co.uk

It would be useful to know the anticipated start date for the development if this gets planning consent so we can make our operational teams aware, given that there are similar activities taking place in this catchment which could present and aggregate of issues.

Surface Water

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 we 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 a decision that reflects the best option from environmental and customer perspectives.

General notes:

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
    - Site Investigation Services (UK) Ltd
    - Tel: 0333 123 1223
    - Email: sw@sisplan.co.uk
    - www.sisplan.co.uk
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- Please find information on how to submit application to Scottish Water at our Customer Portal.

Next Steps:

All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

Trade Effluent Discharge from Non-Domestic Property:

- Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.
- If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject “Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found here.
- Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 5kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food

waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Ruth Kerr.
Development Services Analyst
developmentoperations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

ScotWays
Upholding public access

Econsents_Admin@gov.scot

Carolanne Brown
Case Officer
Onshore Electricity, Strategy and Consents
Directorate for Energy and Climate Change
The Scottish Government

Our Ref: 10295
12/06/2024

Dear Ms Brown,

ECU ref: ECU00005121

ELECTRICITY ACT 1989

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

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR GLEN EARRACH PUMPED STORAGE HYDRO

Thank you for your email of 15 May 2024 seeking comments on the scoping report for the above proposal. We gratefully acknowledge the additional time allowed for our response.

ScotWays records

The enclosed map shows that rights of way HI48, HI49 and HI67 as recorded in the National Catalogue of Rights of Way (CROW) cross or are close to the application site as shown on Figure 1-1 *Site Location Plan*.

The enclosed map shows other paths HI52, HI53 and HI63 as recorded in the National Catalogue of Rights of Way (CROW) cross or are close to the application site as shown on Figure 1-1 *Site Location Plan*.

In searching our records at this scoping stage, we have focussed solely on the immediate area of the proposed application. If required by the applicant to inform their Environmental Impact Assessment (EIA), maps of a wider search area are available from ScotWays, alongside a more detailed response.

Other Access to Land

You should be aware that other forms of public access to land may affect the planning application site. More detail about these other types of access is set out in the enclosed Catalogue of Rights of Way Guidance Notes. The applicant is no doubt aware that two long distance routes sit within the application site: the *Affric Kintail Way* which sits along part of the proposed northern access route and the Great Glen Way, a long distance route which is used by walkers, runners and cyclists. This route is promoted by NatureScot (formerly Scottish Natural Heritage) as one of Scotland's Great Trails.

Recreational Amenity

As well as direct impacts of development upon public access, ScotWays has an interest in impacts on recreational amenity, so this includes the impact of developments on the wider landscape. We anticipate that the applicant will take into account both recreational amenity and landscape impacts in developing their proposals for this site. We will consider these issues further should this scoping stage lead to a planning application.

Comment

At this scoping stage the recreational baseline is incomplete: the applicant still needs to assess the effect of this proposed development on routes across the application site.

Figure 5-4 *Representative Viewpoints and Key Routes* shows core paths and long distance routes within the 15km study area however there has been no consideration of either the right of way network or further recreational routes which do not fall within those fore-mentioned designations. It therefore, incorrectly, appears that there are no routes directly affected by either the application site, the proposed northern access route or other access routes within the site.

As shown on our map HI52 crosses the application site and lies in close proximity to Loch nam Breac Dearga. From Figure 1-2 *Above Ground Infrastructure* it appears that this route may be lost under the Headpond: we do note that there are proposed new access tracks in the vicinity of the headpond however the effect on this route clearly needs assessed.

Along with the omissions noted above a route on Figure 5-4 is incorrectly shown. On Figure 1-2 *Above Ground Infrastructure*, and on Figure 1-3 *Below Ground Infrastructure* it can be seen that the *Affric Kintail Way* is followed by part of the access route from Balnain, indeed it is shown on many of the other Figures within Appendix A. On **Figure 5-4** however the green dashed line for this route is incorrectly placed and sits to the south of the access route. We note that the Great Glen Way is shown on Fig 5-4 however from the scale of the mapping on this it is difficult to tell if this route is correctly shown.

In addressing mitigation measures for the site, 15.9 *Potential Mitigation Measures,* the applicant states '*The CEMP will be supported by a Recreation and Access plan, this will likely aim to mitigate any access disruption or impacts on amenity caused to the Core Paths and other notable walking routes caused by closure and other construction or operation related disruption.*'
Various access tracks, either to or within the site, use parts of recorded rights of way HI48 and HI49 and other routes HI52, HI53 and HI63. At present these have not been considered by the applicant so the effects of the proposed development on these routes will need to be assessed for all stages of the development. We would expect that the applicant consult with the access team at The Highland Council when drawing up their Recreation and Access Plan.

The applicant is no doubt aware that under section 3 of the Land Reform (Scotland) Act 2003, there is a duty upon landowners to use and manage land responsibly in a way which respects public access rights. Under section 14 of the same Act, access authorities have a duty to uphold access rights. Accordingly, we suggest that the applicant may wish to approach the relevant authority's access team for their input when drawing up their Access Management Plan for their proposed development.

I hope the information provided is useful to you. Please do not hesitate to contact us if you have any further queries.

Yours sincerely,

REDACT

Lynda Grant
Access Officer

ScotWays
Upholding public access

Catalogue of Rights of Way Planning Comment Guidance Notes

These notes explain what is shown on the maps provided with planning application comments and provide information about the public right of access to land in Scotland. All maps are provided on a 1:50,000 scale base.

What is the Catalogue of Rights of Way (CROW)?

CROW was created by ScotWays in the early 1990s with the help of Scottish Natural Heritage (now NatureScot) and local authorities and is an amalgamation of rights of way information from a number of different sources. Mapped at 1:50,000 scale, the catalogue does not include all rights of way – many of these are known only to local people and come to ScotWays' notice only when a problem arises.

CROW is continually updated to take account of new information as it comes to ScotWays' attention.

What is a Recorded Right of Way?

Any right of way that we record in the Catalogue of Rights of Way.

Where any Recorded Rights of Way pass through or close to the application site a map will be provided showing them.

What is an Other Route?

Any path that we record in the Catalogue of Rights of Way that does not appear to meet the criteria to be a right of way.

Where any Other Routes pass through or close to the application site a map will be provided showing them.

What is a Heritage Path?

These are historic routes that form part of the transport heritage of Scotland. They reflect our cultural and social development and include drove roads, military roads, Roman roads, pilgrim routes and trade routes.

These routes may or may not be rights of way, core paths or carry some other type of designation.

Find out more about the Heritage Paths project at http://www.heritagepaths.co.uk

Where any Heritage Paths pass through or close to the application site a map will be provided showing them.

What is a Scottish Hill Track?

First published in 1924, our book *Scottish Hill Tracks* is a record of the network of paths, old roads and rights of way which criss-cross Scotland's hill country, from the Borders to Caithness.

These publicised routes may or may not be rights of way, core paths or carry some other type of designation.

Copies of our book *Scottish Hill Tracks* can be purchased from the ScotWays webshop: https://www.scotways.com/shop

Where any *Scottish Hill Tracks* routes pass through or close to the application site a map will be provided showing these.

Disclaimer

*The routes shown on the **CROW** maps provided have been prepared from information contained in the records of ScotWays, local authorities, judicial and other records. The inclusion of a route in CROW is not in itself definitive of its legal status.*

Other Public Access Information

You should be aware that other forms of public access to land may affect your site of interest.

Unrecorded Rights of Way

Our records only show the rights of way that we are aware of. Scots law does not require a right of way to be recorded in a specific document. Any route that meets the following criteria will be a right of way. This could include any paths, tracks or desire lines within your area of interest. A right of way:

1. Connects public places.
2. Has been used for at least 20 years.
3. Follows a more or less defined route.
4. Has been used by the public without judicial interruption or the landowner's permission.

Core Paths

The Land Reform (Scotland) Act 2003 requires all access authorities to create a system of routes within their area. These are known as core paths and are recorded in the authority's core paths plan. It is anticipated that planners will have consulted their access authority's core paths plan to check whether any core paths cross or are close to the application site, and will also have consulted the authority's access team.

The General Right of Access

Irrespective of the presence or absence of rights of way and core paths, the land in question may be subject to the access rights created by Section 1 of the Land Reform (Scotland) Act 2003. Unless the land falls into one of the excluded categories in Section 6 of this Act, the public has a right of access to the land, and land owners/managers have a duty under the Act's Section 3 to consider this in any decisions made about the use/management of the land.

Other Promoted Routes

There may be a promoted route running through or close to any planning application site. Such routes will usually be clearly marked with signposts or waymarking and may feature in guidebooks, leaflets, on local information boards and on websites. The two main types of nationally promoted routes are:

Scotland's Great Trails: https://www.scotlandsgreattrails.com
National Cycle Network: https://www.sustrans.org.uk/map-ncn

Public and Private Roads

The Roads (Scotland) Act 1984 created the terms 'public road' and 'private road'. Public roads are those roads which are on the List of Public Roads and which, importantly, the roads authority is required to manage and maintain. Private roads are those roads which are not on the List of Public Roads and thus there is no duty on the roads authority to manage or maintain them. There is a public right of passage over these roads and the owner(s) of a private road may not restrict or prevent the public's right of passage over the road.

If required, the local roads authority should be contacted for more information on public and private roads that may cross or pass close to the application site.

More Information on Outdoor Access Law

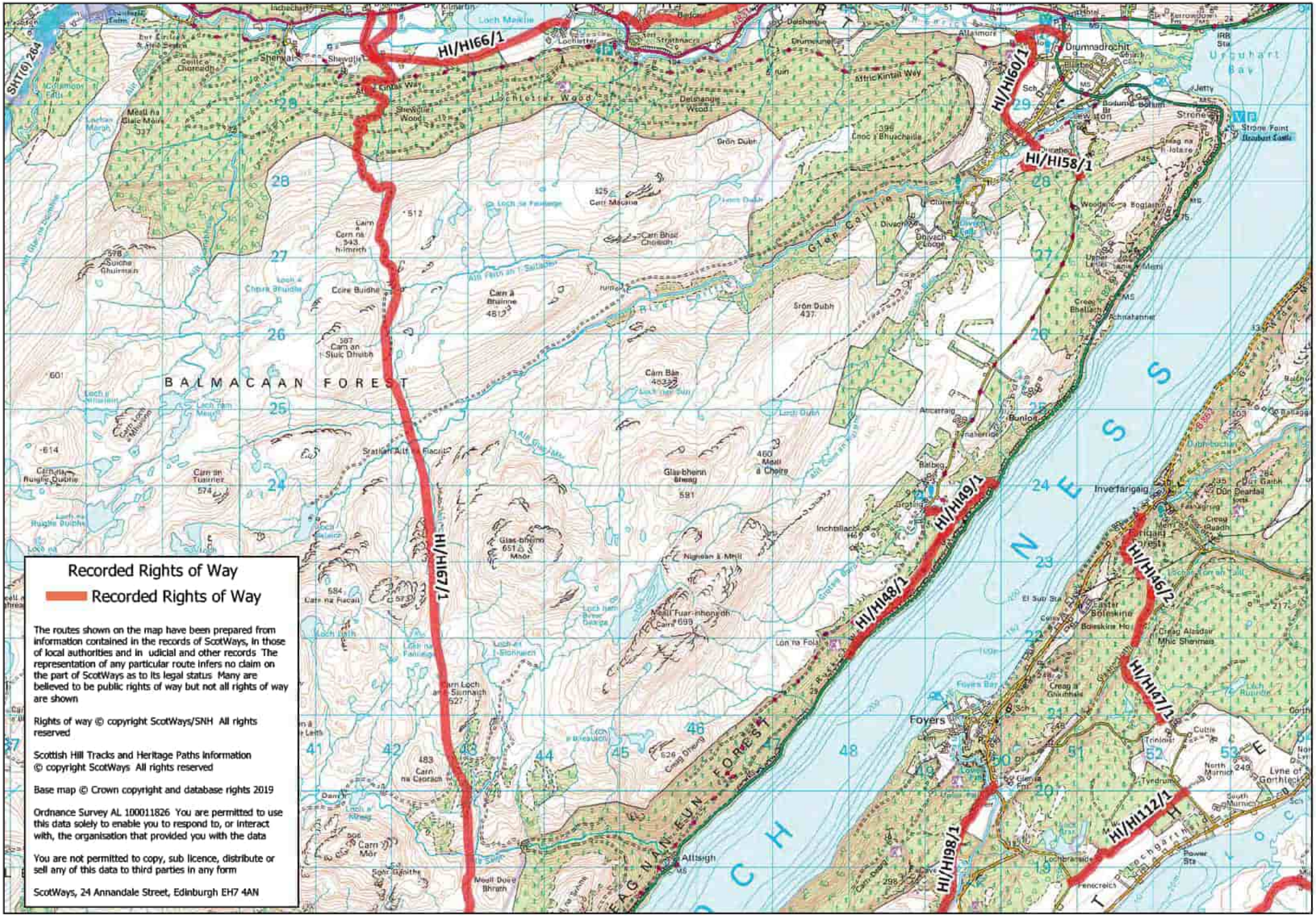
If you would like to know more about outdoor access law, why not visit our website (https://scotways.com/outdoor-access/) or get a copy of our book "*The ScotWays Guide to the Law of Access to Land in Scotland"* by Malcolm Combe (https://www.scotways.com/shop)?

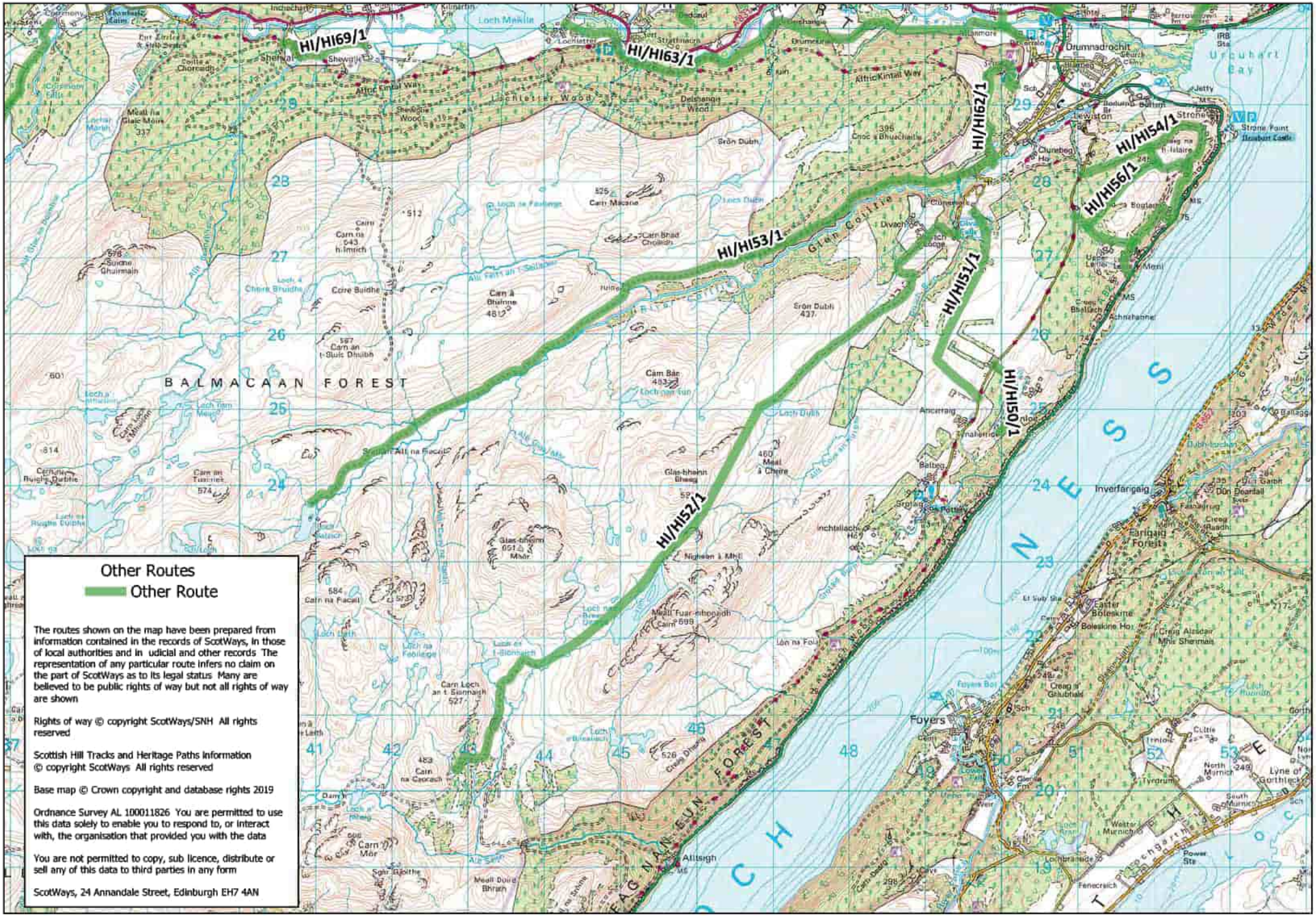
Development and Planning Applications

When proposing to develop a site, it is advisable that the applicant reviews the current amount and type of public access across it and presents this as an access management plan as part of their planning application. This should include rights of way, core paths, other paths and tracks, and take account of how the statutory right of access currently affects the site.

The plan should then consider the effect that the proposed works, during construction and upon completion, would have on any patterns of public access identified. Any good practice guidance associated with the proposed type of development should be considered, e.g. for windfarms the NatureScot "*Good Practice during Wind Farm Construction, Part 8 Recreation and Access"* and *"Siting and Designing Wind Farms in the Landscape"*, and the policies contained within any local statutory plans.

Depending upon the proposals there may be specific legal processes that must be followed to divert any paths or tracks either temporarily or permanently. These will be in addition to getting planning permission for the proposal. We recommend that applicants contact the access team at the relevant access authority for advice in this regard.


HI/HI66/1
HI/HI60/1
HI/HI58/1
HI/HI49/1
HI/HI48/1
HI/HI46/2
HI/HI47/1
HI/HI67/1
HI/HI98/1
HI/HI112/1
SHT(6) 26d
BALMACAAN FOREST
Recorded Rights of Way
Recorded Rights of Way
The routes shown on the map have been prepared from information contained in the records of ScotWays, in those of local authorities and in udicial and other records The representation of any particular route infers no claim on the part of ScotWays as to its legal status Many are believed to be public rights of way but not all rights of way are shown
Rights of way © copyright ScotWays/SNH All rights reserved
Scottish Hill Tracks and Heritage Paths Information © copyright ScotWays All rights reserved
Base map © Crown copyright and database rights 2019
Ordnance Survey AL 100011826 You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data
You are not permitted to copy, sub licence, distribute or sell any of this data to third parties in any form
ScotWays, 24 Annandale Street, Edinburgh EH7 4AN


HI/HI69/1
HI/HI63/1
HI/HI62/1
HI/HI54/1
HI/HI56/1
HI/HI53/1
HI/HI51/1
HI/HI50/1
HI/HI52/1
BALMACAAN FOREST
FAGAN NAN EUN FOREST
Other Routes
Other Route
The routes shown on the map have been prepared from information contained in the records of ScotWays, in those of local authorities and in udicial and other records The representation of any particular route infers no claim on the part of ScotWays as to its legal status Many are believed to be public rights of way but not all rights of way are shown
Rights of way © copyright ScotWays/SNH All rights reserved
Scottish Hill Tracks and Heritage Paths Information © copyright ScotWays All rights reserved
Base map © Crown copyright and database rights 2019
Ordnance Survey AL 100011826 You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data
You are not permitted to copy, sub licence, distribute or sell any of this data to third parties in any form
ScotWays, 24 Annandale Street, Edinburgh EH7 4AN

Our Ref: PCS-20001611
Your Ref: ECU00005121

Carolanne Brown
ECU

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

5 July 2024

By email only to Econsents_Admin@gov.scot

Dear Carolanne Brown

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Glen Earrach Pumped Storage Hydro
Scoping consultation

Thank you for your consultation which was received by SEPA on 15 May 2024 in relation to EIA scoping of the above application; I apologise for the delay in this response.

Advice for the determining authority

Our generic scoping and pre-application advice is provided in the appendix to this letter with some site-specific advice below. We haven't had any pre-application CAR engagement with the developer and encourage them to contact our Water Permitting Team to instigate these discussions as soon as possible. We also strongly recommend the twin-tracking of the CAR and Section 36 applications.

As usually we would also very much welcome further planning engagement as the project develops, and in this regards we welcome the developers proposal to make use of The Highland Councils Major Preapplications Service. From a planning perspective we will be especially interested in spoil and peat management which will be very significant issues for the project.

1. Site specific pre-application and scoping advice

1.1 In relation to section 1 of the attached Appendix (site layout):

- For a development of this scale it is especially important to ensure that detailed layout plans submitted at the application stage are provided for all elements of the development. The plans submitted with the application must detail all the temporary or ancillary works such as laydown areas, rock and peat storage areas and site compounds, which we presume will be extensive for a development of this size. They should show the area of site effected by the development (ie including cut and fill), not just the final footprint. The application submission should also include plans which show above and below ground infrastructure separately.
- The final layout should make as much use as possible of existing infrastructure such as existing tracks, and minimise the length of new tracks needed to facilitate the development. If there are other proposed developments in the vicinity support facilities could be shared.

1.2 In relation to section 2 of the attached Appendix (CAR requirements) and section 3 of the scoping report there is a need to fully assess the potential cumulative impacts on Loch Ness. Discussions direct with our Water Permitting team will reveal what other elements of assessment are likely to be of most significant.

1.3 In relation to section 4 of the attached Appendix (peat):

- We can confirm that a Peat Management Plan will be required for this development. Ensure that suitable probing information is collected to inform the layout.

- Disturbance of peat should be minimised and the final submission should include a plan showing the extent of disturbed area. The area of peatland disturbed (including due in maximum inundation and the effects of inundation due to erosion on the surrounding peat) should be confirmed. Information should be provided on how areas of disturbed and undisturbed peat within the inundation area will be managed so that carbon loss is reduced.
- Note the requirement in section 4 for information on peatland condition.
- Please also note we are streamlining our approach to consultations concerning peat and carbon rich soils. We will focus our planning advice on the avoidance, minimisation, and use of peat in areas disturbed by construction activities. We will no longer provide advice on peatland restoration. Developers should refer to NatureScot guidance on restoration.

1.4 In relation to section 2 of the scoping report and rock and overburden excavation generally:

- We welcome the proposal for a Materials Management Appraisal. This should include information in relation to the type and volumes of material that will be excavated on site accompanied by clear information on temporary storage (which is likely to require an extensive area), reuse on site and use or disposal elsewhere. Any material that cannot be appropriately used within the site works will be considered waste and waste management legislation would apply. Any storage of material for more than three years is a landfill and will require a PPC Part A Permit.

- In view of the extensive volume of excavated material being produced we do not expect the development to include additional borrow pits unless it is subsequently demonstrated that there is a clear need for additional material.

1.5 In relation to section 6 (forest waste) of the attached Appendix then in addition ensure that any new planting proposals are in line with Briefing Note 18: Publication of GWDTE Practice Guide (forestry.gov.scot)

1.6 In relation to section 7 (pollution) of the attached Appendix we can confirm that from

our perspective an outline Construction Environmental Management Plan (CEMP) need not be provided with the application. This is on the understanding that (1) the proposed Materials Management Appraisal will address all aspects of spoil management (minimisation, handling, processing, reuse on site, reuse off site and if required disposal) and any related waste management, (2) peat management is covered by a Peat Management Plan, (3) detailed site plans are submitted which demonstrate how impacts on the environment have been minimised through design and (4) all mitigation is detailed within a suitably robust schedule of mitigation. This approach will hopefully help streamline the overall information and assessment requirements.

Advice for the applicant

Details of general regulatory requirements and good practice advice, for example in relation to private drainage, can be found on the regulations section of our website.

Pre-application CAR discussions should be instigated with SEPA as soon as possible via Waterpermitting@sepa.org.uk.

Please also see our website for further information about the Reservoirs Act 2011.

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

Yours sincerely

Susan Haslam
Senior Planning Officer
Planning Service

Ecopy to: Siobhan.Wolverson@aecom.com; Carolanne.Brown@gov.scot; Roderick.Dowell@highland.gov.uk; Corrina.Mertens@nature.scot

Disclaimer This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our website planning pages - www.sepa.org.uk/environment/land/planning/.

Appendix 1: Detailed scoping requirements

This appendix sets out our generic scoping information requirements for large scale projects like this. There may be opportunities to scope out some of the issues below depending on the site. Evidence must be provided in the submission to support why an issue is not relevant for this site in order to avoid delay and potential objection.

If there is a delay between scoping and the submission of the application then please refer to our website for our latest information requirements as they are regularly updated; current best practice must be followed. We would welcome the opportunity to comment on the draft submission. As we can process files of a maximum size of only 25MB the submission must be divided into appropriately named sections of less than 25MB each.

1. Site layout

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

1.2 The layout should be designed to minimise the extent of new works on previously undisturbed ground. For example, a layout which makes use of lots of spur tracks or loops is unlikely to be acceptable, cabling must be laid in ground already disturbed such as verges, and existing built infrastructure must be re-used or upgraded where possible.

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

2. Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR)

2.1 The proposed hydro scheme will require an authorisation from us under CAR. It is likely that the CAR application will be subject to a derogation (exemption under the Water Framework Directive) assessment and third party consultation which could result in amendments to the scheme. **We therefore strongly encourage applicants to twin-track applications for consent under planning and CAR to ensure that CAR requirements can be accommodated more easily when proposals are at their most fluid.**

2.2 Should the applicant choose not to twin-track their applications then the following

details must be included in the planning submission to allow us to provide an indication of the potential consentability of the proposal under CAR:

a) The location and design of the intakes and outfalls and their impact upon the morphology of the water environment.

b) Compensation flow.

c) Fish passages.

d) Other relevant CAR or planning applications or consents for abstractions/hydro schemes.

e) Sensitive water uses, water dependent species (including bryophytes) and ecosystems.

2.3 See Planning guidance on hydropower developments to assist in meeting these information requirements. More detailed guidance on CAR can be found on our hydropower web page.

3. Other impacts on the water environment

3.1 Other elements of the scheme must be designed to avoid impacts upon the water environment. Where activities such as watercourse crossings, watercourse diversions or other engineering activities in or impacting on the water environment cannot be avoided then the submission must include justification of this and a map showing:

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

b) A minimum buffer of 50m around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse and drawings of what is proposed in terms of engineering works;

c) A map showing the location, size, depths and dimensions of all borrow pits overlain with all lochs and watercourses within 250m and showing a site-specific buffer around each loch or watercourse proportionate to the depth of excavations. The information provided needs to demonstrate that a site specific proportionate buffer can be achieved.

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

3.4 Watercourse crossings must be designed to accommodate the 0.5% Annual Exceedance Probability (AEP) flows, or information provided to justify smaller structures. If it is thought that the development could result in an increased risk of flooding to a nearby receptor then a Flood Risk Assessment must be submitted in support of the planning application. Our Technical flood risk guidance for stakeholders outlines the information we require to be submitted as part of a Flood Risk Assessment. Please also refer to Controlled Activities Regulations (CAR) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities.

4. Disturbance and re-use of excavated peat and other carbon rich soils

4.1 Where proposals are on peatland or carbon rich soils (CRS), the following should be submitted to address SEPA's requirements in relation to NPF4 Policy 5 to protect CRS and the ecosystem services they provide (including water and carbon storage). Peatland in near natural condition generally experiences low greenhouse gas emissions, is accumulating and may be sequestering carbon, has high value for supporting biodiversity, helps to protect water quality and contributes to natural flood management, irrespective of whether that peatland is designated for nature conservation purposes or not.

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

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

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

b) Peat depth survey showing interpolated peat depths;

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

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

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

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

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

b) A table clearly setting out the volumes of acrotelmic, catotelmic and amorphous excavated peat: (1) used in making good site specific areas disturbed by development, including borrow pits (quantities used in making good areas disturbed by development must be the minimum required to achieve the intended environmental benefit and materials must be suitable for the proposed use), (2) used in on and off site peatland restoration, and (3) disposed of, and the proposed means of disposal (if deemed unavoidable after all other uses of excavated peat have been explored and reviewed);

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

d) Suitable evidence that the use of peat in making good areas disturbed by development, including borrow pits, is genuine and not a waste disposal operation, including evidence on the suitability of the peat and evidence that the quantity used matches and does not exceed the requirement of the proposed use. If peat is to be used in borrow pits on site, SEPA will require sections and plans including the phasing, profiles, depths and types of material to be used;

4.7 Use of excavated peat in areas not disturbed by the development itself is now not a

matter SEPA provides planning advice on. Please refer to Advising on peatland, carbon-rich soils and priority peatland habitats in development management | NatureScot 2023, and the Peatland ACTION – Technical Compendium which provides more detailed advice on peatland restoration techniques. Unless the excavated peat is certain to be used for construction purposes in its natural state on the site from where it is excavated, it will be subject to regulatory control. The use of excavated peat off-site, including for peatland restoration, will require the appropriate level of environmental authorisation. Excavated peat will be waste if it is discarded, or the holder intends to or is required to discard it. These proposals should be clearly outlined so that SEPA can identify any regulatory implications of the proposed activities. This will allow the developer and their contractors to tailor their planning and designs to accommodate any regulatory requirements. Further guidance on this may be found in the document Is it waste - Understanding the definition of waste.

5. Disruption to Groundwater Dependent Terrestrial Ecosystems (GWDTE) and existing groundwater abstractions

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

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

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

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

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

6. Forest removal and forest waste

6.1 If tree felling is proposed the submission must include a map with the boundaries of where felling will take place and a description of what is proposed for this timber in accordance with Use of Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS.

7. Pollution prevention and environmental management

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

Scottish Gas Networks Consultation Response

From: Young, Bryan
To: Econsents Admin
Subject: Scoping Request for Glen Earrach Pumped Storage Hydro - ECU00005121
Date: 15 May 2024 12:19:58
Attachments: image001.jpg

Classified as Internal

Good afternoon,

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

Kind regards

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

Smell gas? Call 0800 111 999
Find out how to protect your home from carbon monoxide

To - Carolanne Brown, Onshore Electricity, Strategy and Consents, Energy Consents Unit

From - Chair of Stratherrick and Foyers Community Council

Glen Earrach Pumped Storage Hydro - ECU00005121

Dear Carolanne,

We are writing to you today to give our comments on the above mentioned scoping application. Our comments are as follows –

1. The lack of consultation with the community is very concerning. Despite stating on the developers website *'We are committed to seeking the community's views on how best to integrate the project into the environment and the community.'* The only consultation took place in Drumnadrochit, which is 31 miles away by road and would take about an hour to get there from the Village of Foyers which will be one of the most affected areas and is under 1 mile from the scheme. It was also held during working hours.
2. Noise and dust; concern about the noise and dust levels in Foyers and Inverfarigaig as they are directly across the Loch from the site and under 1 mile away from it. An assessment of the impact of dust has been scoped out. This must be included in the EIA. Boleskine, Inverfarigaig and Dores should be added as sites for consideration of the impacts of noise, vibration and dust.
3. Visual impact will be huge, especially during the many years of construction for the South side of Loch Ness. At 15.4.2 under socio-economics it states: *Loch Ness Shores Camping and Caravanning Club site is located 1.6 km east of the Development on the opposite side of Loch Ness, along with several holiday rental properties.* But makes no mention at all, and completely downplays the impact on the Falls of Foyers, Boleskine House, Foyers Lodge, Sealladh an Loch, Foyers Bay Country House, The Craigdarroch Inn, Foyers House/Roost, Foyers Bay Lodges, The Lodges on Loch Ness, the Waterfall cafe and The Beastie Boats/Foyers Pier, all of which are closer than any businesses in Glenmoriston or Drumnadrochit and look out directly on to the potential development about a mile away. Not to mention all the residential properties. Diagram 5.4 shows what looks like there will be visualisations from Upper and Lower Foyers. Hard to tell exactly where they will be done from as map is blurry when you zoom in but if visualisations from Boleskine and Inverfarigaig can also be added to that list.
4. Access off the A82; this will have a huge impact on transport on this major trunk road which could also affect the B862 as local people travelling from Inverness to Fort Augustus or Fort

William will use that side of the loch to avoid any delays on the A82. Turning on and off the A82 will also be hazardous.

5. Cumulative effect on Loch Ness; with Foyers PSH, that was passed in the 70's, when we knew a lot less about potential environmental damage, Loch Na Cathrach (prev Red John) consented and Loch Kemp in planning, at what point will the cumulative effect on Loch Ness be considered. There is very concerning reports about what effect PSH will have on aquatic life in Loch Ness and there is also the fact that it is arguably the most famous Loch in the world and a scheduled monument. Turning the whole of the loch into a construction site will have an impact on tourism and have a negative effect on the economy.
6. Effect on water levels; Visualisations should include views which show Loch Ness at its lowest permissible level with the cumulative 1m to 1.2m impoverished littoral zone above it that would be created by all the proposed and consented schemes operating simultaneously.
7. Figure 11.2 shows the whole of Inverness as a vulnerable area; is this for potential flooding? Also to note on that drawing, Red John PSH is now named Loch Na Cathrach PSH.
8. Effect on the Great Glen Way; this is a very popular walking route linking Inverness to Fort William and then joining the West Highland Way or the Loch Ness 360. The proposed site goes right through this path.
9. Given the recent discovery of SSSI-quality habitats nearby, the ecological desktop studies require augmentation with lichen (both terrestrial and fresh-water) and bryophyte field surveys to establish whether such habitats are present within the development and inform the content of the EIA.
10. Ensure consideration of Stratherrick and Foyers Local Place Plan.

Regards
Mark Hindley,
Chair,
Stratherrick and Foyers Community Council

Development Management and Strategic Road Safety
Roads Directorate

George House 36 North Hanover St Glasgow G1 2AD
george.smith@transport.gov.scot

TRANSPORT SCOTLAND
CÒMHDHAIL ALBA

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

Econsents_Admin@gov.scot

Your ref:
ECU00005121

Our ref:
GB01T19K05

Date:
06/06/2024

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY (APPLICATIONS FOR CONSENT) REGULATIONS 2017

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR GLEN EARRACH PUMPED STORAGE HYDRO

With reference to your recent correspondence on the above development, we acknowledge receipt of the Scoping Report (SR) prepared by Aecom in support of the above development.

This information has been passed to SYSTRA Limited for review in their capacity as Term Consultants to Transport Scotland – Roads Directorate. Based on the review undertaken, Transport Scotland would provide the following comments.

Proposed Development

The proposed Glen Earrach Pumped Storage Hydro (PSH) will be located on the northwest side of Loch Ness, approximately 9.5km to the south of Drumnadrochit and 6.5km north of Invermoriston. The PSH will have a storage capacity of up to 30,000 MWh with up to 2,000 MW installed electrical generation capacity.

The nearest trunk road to the site is the A82(T), with the possibility of two points of access being taken from the A82(T) and one from the A831. While we note that one of the potential A82(T) access points has been used to route forestry / tree felling traffic to and from the A82(T), Transport Scotland would state that any proposed changes to the trunk road network must be discussed and approved (via a technical approval process) by the appropriate Area Manager. In addition, we would advise that 1:500 scale plans of any new or modified access from the trunk road should be submitted with the application along with visibility splay plans. This will allow the standard of the proposed access junctions to be assessed.

Assessment of Environmental Impacts

Chapter 13 of the SR presents the proposed methodology for the assessment of the potential effects of Access, Traffic and Transport. This states that the assessment will be based upon the Institute of Environmental Management and Assessment (IEMA) Guidelines: Environmental Assessment of Traffic and Movement, July 2023. Transport Scotland is satisfied with this approach.

We note that construction of the PSH will require temporary traffic management measures on the A82(T) which are likely to be required for a significant period of time and also will very likely require a significant temporary re-alignment of the current A82(T), consequently, pre-scoping discussions with Transport Scotland were carried out in January 2024. The results of these discussions have been identified within the SR, and are as follows:

- Two-way traffic on the A82 should be maintained at all times. Only very short closures or one-way working periods could be considered.
- Temporary reductions in A82 speed limits in the vicinity of works could be considered. Typically speed reduction measures are implemented for periods up to 18-months. Use of temporary traffic lights should be avoided in order to maintain two-way traffic flow and capacity on the A82.
- Temporary re-alignment of the A82 to the west would be challenging due to topography and geology (rock). The feasibility of temporarily re-aligning the A82 to the east on the Loch Ness side could be investigated.
- Construction techniques for inlet / outlet tunnels passing under the A82. No preference from Transport Scotland at this pre-scoping consultation stage. Works could encompass placing the A82 on fill or structure above inlet / outlet tunnels if required. Transport Scotland noted the scenic nature of the road so the visual impact of any inlet / outlet structure should be taken into account. The eventual construction methodology should ensure disruption to the safe and efficient operation of the A82 is minimised.

The study area for the assessment has been identified as the A82(T) and the A831. Chapter 13 states that a "limited number of junction turning counts would be carried out where construction traffic passes or turns through A-road junctions on the A82(T) trunk road network". In addition, base traffic data "may include Transport Scotland and The Highland Council." We would state that a suitable source of traffic data is Traffic Scotland's National Traffic Data System. Should Department for Transport (DfT) traffic data be utilised, we would ask that "estimated" data from the DfT site be avoided.

We would also request that National Road Traffic Forecast (NRTF) Low Traffic Growth assumptions be used to provide a common future year baseline to coincide with the expected construction traffic peak.

Abnormal Loads Assessment

Port of Entry options (PoE) for Abnormal Indivisible Load deliveries include Corpach/ Fort William to the south, and Inverness / Invergordon / Nigg to the north. Chapter 13 states that an initial abnormal load route review will be prepared and included in the Technical Appendix to the forthcoming Environmental Impact Assessment Report (EIAR).

This is considered appropriate, and we would add that Transport Scotland will require to be satisfied that the size of loads proposed can negotiate the selected route and that their transportation will not have any detrimental effect on structures within the trunk road route path.

The Abnormal Loads Assessment report should identify key pinch points on the trunk road network. Swept path analysis should be undertaken and details provided with regard to any required changes to street furniture or structures along the route.

I trust that the above is satisfactory, but should you wish to discuss any issues raised in greater detail, please do not hesitate to contact me or alternatively, Alan DeVenny at SYSTRA's Glasgow Office can assist on 0141 343 9636.

Yours faithfully

REDACT

George Smith

Transport Scotland
Roads Directorate

cc Alan DeVenny – SYSTRA Ltd.

The Highland Council
Comhairle na Gàidhealtachd

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

Please ask for: Roddy Dowell
Direct Dial: 01463 785 046
e-mail: Roddy.Dowell@highland.gov.uk
Our Ref: 24/02045/SCOP
Your Ref: ECU00005121
Date: 19 October 2024

By email only to: carolanne.brown@gov.scot, victoria.deacon@aecom.com, siobhan.wolverson@aecom.com, john.daly1@aecom.com

Dear Carolanne,

PLANNING REFERENCE: 24/02045/SCOP

DEVELOPMENT: REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR PROPOSED PUMPED STORAGE HYDRO SCHEME GLEN EARRACH/LOCH NAM BREAC DEARGA

LOCATION: NORTHWEST SIDE OF LOCH NESS, APPROXIMATELY 9.5KM TO THE SOUTH OF DRUMNADROCHIT AND 6.5KM NORTH OF INVERMORISTON

Thank you for requesting this Environmental Impact Assessment (EIA) Scoping Request for the above project. We received the consultation on 19 June 2024 by email and we are grateful for the previous extension of time to make comments.

The Scoping response supplements advice given to the applicant in the Pre-Application Advice Pack 24/00617/PREMAJ, also issued on 19 October 2024. That response should be considered alongside this Scoping response to help inform the content of the forthcoming EIAR. The recommendations noted for 24/00617/PREMAJ are expected to be implemented for any future application.

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 where they are applicable to the Highland Council. We trust this response helps inform ECU's Scoping Direction and is helpful to the applicant when formalising any forthcoming application.

Any late comments received from Highland Council consultees will be forwarded on.

SCOPING RESPONSE

Applicant:	**Glen Earrach Energy Ltd**
Project:	**Proposed pumped storage hydro scheme Glen Earrach/Loch nam Breac Dearga**
Project Address:	**Northwest side of Loch Ness, approximately 9.5km to the south of Drumnadrochit 6.5km north of Invermoriston**
Our Reference	**24/02045/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;
- 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 renewable energy developments in the area ranging from wind farms, pumped storage hydro, substations along with associated electricity transmission infrastructure at various stages in the planning process, therefore 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.

Land Use and Policy

3.2 The EIAR should recognise the existing land uses affected by the development having particular regard for THC's Development Plan inclusive of all statutorily adopted Supplementary Guidance (SG). This is not instead of but in addition to the expectation of receiving a Planning Statement in support of the application itself which, in addition to exploring compliance with the Development Plan, should look at Scottish Planning Policy and Planning Advice Notes which identify the issues that should be taken into account when considering significant development. Scottish Government policy and guidance on renewable energy should be considered in this section. The purpose of this chapter is to highlight relevant policies, not to assess the compatibility of the proposal with policy.

3.3 It is noted that this proposal has already been submitted for major pre-application advice. The current Development Plan comprises the:

- National Planning Framework 4(NPF4) adopted in 2023;
- Highland-wide Local Development Plan (HwLDP) adopted 2012;
- Inner Moray Firth Local Development Plan 2 (IMFLDP2) adopted 2024.

A range of policies will apply to this scheme from all these plans and guidance. The scope of an EIA should address all the relevant issues covered in NPF4, HwLDP and the SG. IMFLDP2 has limited relevance to this type of proposal as their focus is mainly on regional and settlement strategies and identifying specific site allocations for Inverness and the surrounding area. Its primary focus is on identifying specific site allocations and as such, much of the content of the plan is not directly relevant to this proposal. However, certain aspects of the strategy for the local area/settlement may help to inform plans for community engagement or community benefit. IMFLDP2 defines boundaries (including any refinements) of the Special Landscape Areas (SLAs) across the plan area. The SLA citations webpage provides the most up to date information on SLAs.

National Planning Framework 4

3.4 Pumped hydro storage is classed as a national development (number 2 in NPF4) and aims to extend hydroelectricity capacity to support the transition away from fossil fuels, whilst also providing employment opportunities in rural areas. If this proposal proceeds to application stage it will therefore be considered as a national development. However, please note that whilst national development status provides in principle support, it does not grant planning permission and all relevant consents are required. The most relevant

NPF4 Policies to this proposal include the following list, for more details please refer to the fuller response in this proposal's pre-application advice 24/00617/PREMAJ:

- Policy 1 (Tackling the climate and nature crises)
- Policy 2 (Climate mitigation and adaptation)
- Policy 3 (Biodiversity)
- Policy 4 (Natural Places)
- Policy 5 (Soils)
- Policy 6 (Forestry, woodland and trees)
- Policy 7 (Historic assets and places)
- Policy 11 (Energy)
- Policy 12 (Zero waste)
- Policy 13 (Sustainable transport)
- Policy 14 (Design, quality and place)
- Policy 18 (Infrastructure first)
- Policy 20 (Blue and green infrastructure)
- Policy 22 (Flood risk and water management)
- Policy 23 (Health and safety)
- Policy 25 (Community wealth building)
- Policy 26 (Business and industry)
- Policy 29 (Rural development)
- Policy 33 (Minerals)

Highland-wide Local Development Plan

3.5 We welcome the reference to the HwLDP in the scoping report. The HwLDP sets out a range of planning policies applicable for the whole Highland Council area. The HwLDP continues to be used alongside NPF4, until it is replaced by a new style LDP. The Council notes that legislation indicates that if there is incompatibility between a provision of the LDP and a provision of the NPF, whichever is the more recently dated shall prevail. This requirement does not take away from the fact that the HwLDP must, whilst still part of the adopted Development Plan, be part of the consideration and, as such the following policies are considered relevant. For more details, please refer to the fuller response in this proposal's pre-application advice 24/00617/PREMAJ:

- Policy 28 (Sustainable Design)
- Policy 30 (Physical Constraints)
- Policy 31 (Developer Contributions)
- Policy 35 - Housing in the Countryside (Hinterland Areas)
- Policy 36 (Wider Countryside)

- Policy 51 (Trees and Development)
- Policy 52 Principle of Development in Woodland
- Policy 53 (Minerals)
- Policy 54 Mineral Wastes
- Policy 55 (Peat and Soils)
- Policy 56 (Travel)
- Policy 57 (Natural, Built and Cultural Heritage)
- Policy 58 (Protected Species)
- Policy 59 (Other Important Species)
- Policy 60 (Other Important Habitats)
- Policy 61 (Landscape)
- Policy 63 (Water Environment)
- Policy 64 (Flood Risk)
- Policy 65 (Wastewater Treatment)
- Policy 66 (Surface Water Drainage)
- Policy 67 (Renewable Energy Developments)
- Policy 69 (Electricity Transmission Infrastructure)
- Policy 72 – Pollution
- Policy 77 (Public Access)
- Policy 78 (Long Distance Routes)

Inner Moray Firth Local Development Plan 2

3.6 We welcome the reference in the Scoping Report to the area local development plan covering this proposal, which is the Inner Moray Firth Local Development Plan 2 (IMFLDP2). IMFLDP2 focuses on regional and settlement strategies and identification of specific site allocations, may highlight priorities for the local area that should be taken into consideration when designing the development, or help to inform plans for community engagement and/or community benefit. For more details, please refer to the fuller response in this proposal's pre-application advice 24/00617/PREMAJ.

Sustainability

3.7 The Council's Sustainable Design Guide Supplementary Guidance 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. Pumped hydro storage produce a sustainable form of energy, however, the Council will need to be satisfied in reaching a conclusion on any consultation or application that the development in its entirety is in fact sustainable development. In order for us to do so we recommend that matters related to the three pillars of sustainable development are fully assessed in the information that supports the application. The pumped storage hydro

needs to be considering the provision of energy systems within the holistic demand cycle of the network. The developer needs to consider the impact of the installation and the prospective long-term use of the energy to accommodate the requirements of a decarbonised energy provision for Scotland and the Highlands. 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.

3.8 The developer should also consider the potential for generation of alternative fuels as part of the development. Consideration should be given to an element of local use of the energy and particular use of hydrogen generation if there is an opportunity in the development for redundancy supply profiles. The Council also encourage the inclusion of electric car charging facilities within all new developments. A strategy for the provision of charging points within the development should be submitted with the application.

Landscape and Visual

3.9 The Council must be satisfied that the development is located, sited and designed in a way that will not be significantly detrimental to a number of considerations as set out in this policy. This includes both individual impacts and cumulative impacts with other energy schemes. Should the project progress, it will be important to maintain an up-to-date picture of development in the wider area, particularly for informing cumulative impact assessment. A starting point for this is the Council's Highland Hydro Storymap (last updated January 2022) and the Highland wind turbine map (last updated July 2024).

3.10 The Onshore Wind Energy Supplementary Guidance, on pages 19 and 20, lists ten landscape and visual criteria that the Council use as a framework for assessing proposals. In considering landscape and visual impacts, the assessment should pay particular attention to these 10 criteria, as these will be used in the future appraisal of an application for this proposal and should therefore also form part of the applicant's own assessment.

3.11 The Council has also produced citations for Special Landscape Areas (SLAs) which summarise key characteristics, qualities, sensitivities, and measures for enhancement and must be used to assess the potential impacts of the proposed development. The proposal must have regard to the Loch Ness and Duntelchaig SLA.

3.12 The Council expects the EIAR to consider the landscape and visual impact of the development, which should conform with the overall methodology set out in GLVIA3. 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: https://www.highland.gov.uk/downloads/file/12880/visualisation_standards_for_wind_energy_developments

3.13 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 an A3 ring bound folder for ease of use**. The use of monochrome for specific viewpoints is useful where there are a number of different wind farms in the view. We are happy to provide advice on this matter going forward.

3.14 All elements of a development are important to consider within any EIAR, including the visual impact of tracks, substations/electricity line connection/other ancillary infrastructure, on-site borrow pits etc. Therefore, the assessment should include the expected impact of these elements, which should have their own site layout and elevation plans, notwithstanding that the principal structures will be a primary concern.

3.15 It should be noted that there are several renewable energy applications in the wider surrounding area that are yet to be determined/concluded in the vicinity of the application, which may or may not help clarify the weight towards particular policy elements in the final planning balance. We recommend that you utilise our interactive Wind Turbine map, which is up to date as of July 2024, to identify other schemes within the Study Area. The map can be accessed on the link below: https://highland.maps.arcgis.com/apps/webappviewer/index.html?id=5ec04b13a9b049f798cadbd5055f1787

3.16 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". It should be the case that some viewpoints are "Specific Viewpoints", addressing key and promoted views, while others are "representative viewpoints" which represent effects on particular types of receptor in a more generalised area where similar effects may be experienced over a wider geographical area, as well as some "illustrative views" chosen to demonstrate a particular effect. The LVIA should clearly spell out which category each viewpoint falls into and ensure that the analysis assesses the effects on specific view and the effects on general amenity experienced by people.

3.17 THC generally prefers the term "Hours of Darkness" over "Night-Time" in recognition of how extensive hours of darkness can be in the Highlands. It is pertinent to the assessment to understand that Hours of Darkness Effects will be visible during people's working day and commuting hours for a significant part of the year and that sensitivities of receptors to these effects must account for this.

3.18 Gardens and Designed landscapes are considered as assets due to their design and relationship to the wider landscape in addition to their historic nature. Therefore, it would be appropriate for any aspects relating to landscape setting, or relationship to the wider landscape to be considered in the LVIA chapter, if necessary, in addition to appearing in the Cultural Heritage Chapter.

3.19 The Council acknowledges 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. 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. Please note that the Council does not consider forestry a permanent fixture in the landscape and therefore expects LVIA's to assume bare earth, along with

"permanent" physical infrastructure, baseline conditions, in order that effects are understood based on worst case scenarios.

3.20 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.

3.21 Furthermore, the LVIA Chapter of the EIAR should 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.

3.22 When assessing the impact on recreational routes please ensure that all core paths and long-distance trails, are assessed. The assessments of these routes should include a sequential assessment of how the development will be experienced in relation to existing and renewable energy developments. We expect an assessment of the development's visual impacts on surrounding settlements.

3.23 The development will further extend the number of proposals of this type in the wider surrounding area, necessitating an appropriate cumulative impact assessment. It is considered that cumulative impact will be a significant material consideration in the final determination of any future application. Given the cumulative impact of renewable energy in this area it is expected that the applicant should present images for presentation within the Panoramic Digital Viewer deployed by the Council – see visualisation standards document. If the applicant wished to utilise this tool there may be an associated cost per image to be inserted which should be discussed with the Council prior to submission. To view current or determined schemes in the Council's Panoramic Viewer please see this link: http://www.highland.gov.uk/panoramicviewer.

3.24 We expect the Landscape Impact Assessment to refer to the Council's Onshore Wind Energy Supplementary Guidance and expect an assessment of the proposal against the criterion set out in the Council's OWESG at pages 19 and 20 to be included within the LVIA chapter of the EIAR. The site is located within the Loch Ness Landscape Character Areas Study referenced in the Onshore Wind Energy Supplementary Guidance.

Landscape

3.25 Highland Council's Landscape Officer reiterated that the Landscape and Visual Impact Assessment of the proposed development should include any cumulative effects arising

from interaction with existing and proposed wind energy developments. While the developments are very different in nature, both represent large scale, man-made interventions in the landscape, with potential to change the perception of scale and distance within the landscape.

3.26 They considered the proposed viewpoints appear to largely cover the predicted receptors, but they have requested the addition of a viewpoint from Meall Fuar-Mhonaidh itself. While it is clear that much of the summit plateau is not likely to have visibility, the resolution of the supplied ZTV is not sufficient to rule out visibility from the north west edge of the plateau and the effects from here need to be understood and assessed. They also note that in addition to the access routes recorded in the Scoping Statement, there is also a claimed right of way to the north of Loch Nam Breac Dearga.

3.27 An assessment of the impacts of the proposal on landscape should assess the impacts on any landscapes designated at a national and local scale. Whilst there are only limited details available at this stage about the nature of the required level of built structures on the shore of Loch Ness, any development here should be considered in the context of the Loch Ness and Duntelchaig Special Landscape Area, in particular with regard to the Key Landscape and Visual Characteristic of:

- The horizontal water's surface combines with adjacent steep slopes to create a simple and distinctive profile of contrasting planes and edges.

3.28 The impacts of any lighting must be assessed through the EIA process. Further advice on lighting is available from NatureScot, however, generally the impact of lighting on WLA's and SLA's and areas where there would be an expectation of dark skies should be included.

3.29 The Landscape Officer has expanded further on some of the points raised above in their comments for 24/00617/PREMAJ.

Cultural Heritage

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

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

3.31 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.

3.32 Highland Council's Historic Environment Team have not provided any further comments for this or the 24/00617/PREMAJ response. Historic Environment Scotland have provided further comments as part of the 24/00617/PREMAJ response

Ornithology

3.33 The presence of Schedule 1 Birds and/or European Protected Species 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. Please refer to any comments from NatureScot and RSPB in this respect.

3.34 An assessment of the impacts to birds through collision, disturbance, and displacement from foraging/breeding/roosting habitat will be required for both the proposed development site and cumulatively with other proposals. The EIAR should be clear on the survey methods and any deviations from guidance on ornithology matters.

Ecology

3.35 The EIAR 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, particularly in respect to blanket bog, in the contexts of both biodiversity conservation and the inherent risk of peat slide (see later). 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.

3.36 The developer should undertake a specific peat assessment to inform the siting, design, or other mitigation in order to overcome significant effects on peatland and Carbon Rich Soils, Deep Peat, and Priority Peatland Habitat (CPP). Attention is drawn to paragraph 4.34 on page 24 of the OWESG, which discusses peat and CPP. We also expect an up-to-date National Vegetation Classification (NVC) survey and a commitment to undertake peatland restoration on an area of increased size to that of the application site. The EIAR should provide details of all direct, indirect, permanent, and temporary impacts to any bog habitat present on the site.

3.37 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 provide advice on the impact on designated sites.

3.38 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.

3.39 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.

3.40 Further advice can be found in NatureScot's consultation response on ecology in relation to the surveys required and the adequacy of the work already undertaken.

3.41 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.

3.42 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 EIAR, 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. Remote sensing using radar or infra-red cameras should be considered, to help inform future development and decision making within the industry with regards to eagles. Lastly, the HMP (or other document) should also include a protocol for reporting collisions to NatureScot.

Biodiversity Enhancement

3.43 NPF4 Policy 3b. is applicable and requires biodiversity enhancement of the site post-construction in addition to mitigation and compensation measures. In order to satisfy Policy 3b. a Biodiversity Enhancement and Management Plan (BEMP) that details how criteria i. to v. will be met, will be required in addition to the Ecology Assessment. This will demonstrate that the development will significantly enhance the biodiversity of the site from its pre-development state by at least 10%.

3.44 Where the BEMP is unable to demonstrate to the satisfaction of the planning authority that the development will conserve, restore and enhance biodiversity, the proposal will not be supported.

3.45 The BEMP must demonstrate to the satisfaction of the Planning Authority that the development will accord with Policies 57-60 of the HwLDP. The BEMP will be carried out by a suitably qualified and experienced consultant. In rare cases where site constraints result in the applicant being unable to deliver one or more of the above criteria, consideration may be given to developer contributions as to enable biodiversity enhancements to be implemented elsewhere in line with the mitigation hierarchy to allow offset, off- site measures.

Water Environment

3.46 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 including bog pools surrounding the proposed infrastructure, and sensitive receptors such as water supplies, need to be assessed and demonstrated that they will not be degraded by site drainage and excavations. 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 that will impact on any calculations of run-off, high flow in watercourses and hydrogeological matters. The applicant is strongly advised at an early stage to consult Scottish Environment Protection Agency (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 environment 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 will identify whether a CAR license is necessary and the extent of information required to assess any license application.

3.47 If culverting should be proposed, either in relation to new or upgraded tracks, 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 channelling, 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.

3.48 The Council's Flood Risk Management Team had no comments to make at this stage. However, there are a number of watercourses on the site therefore the following 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 Supplementary Guidance.

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

3.50 The applicant will be required to carry out an investigation to identify any private water supplies, including pipework, which may be adversely affected by the development and to submit details of the measures proposed to prevent contamination or physical disruption. This information should be in the form of a map and assessment of impacts upon groundwater abstractions and buffers. Highland Council has some information on known supplies, but it is not definitive. An on-site survey will be required.

Noise

Construction Noise and Vibration

3.51 Highland Council's Environmental Health Team notes the Scoping Report advises that a construction noise and vibration assessment will be undertaken in accordance with BS 5228-1:2009+A1:2014. The assessment should include but is not limited to the following:

1. description of construction activities with reference to noise generating plant and equipment;
2. A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations;
3. A description of any noise mitigation methods that will be employed and the predicted effect of said methods on noise levels;
4. A prediction of noise levels resultant at the curtilage of noise sensitive receptors;
5. An assessment of the predicted noise levels in comparison with relevant standards. The following limits would be recommended for a construction project of this size and duration.

3.52 The following limits would be recommended for a construction project of this size and duration.

Noise

- Monday to Friday; 8am to 6pm 55dB LAeq 1 hour;
- Saturdays; 8am to 1pm 55dB LAeq 1hour;
- Saturdays; 1pm to 6pm 45dB LAeq 1 hour;
- Outwith the above times, noise from construction related activities shall not exceed 35dB LAeq 1 hour.

Vibration

- Monday to Friday; 8am to 6pm The peak particle velocity shall not exceed 5 mm·s−1;

- Saturdays; 8am to 1pm The peak particle velocity shall not exceed 5 mm·s−1;
- Outwith the above times, the peak particle velocity shall not exceed 0.3 mm·s-1;
- The above limits apply to all construction activities other than blasting. For blasting, the applicant will be required to submit a scheme demonstrating that the best practicable means will be employed to minimise the impact of noise and vibration.

Groundborne Noise

- Monday to Friday; 8am to 6pm 35dB LASmax;
- Saturdays; 8am to 6pm 35dB LASmax;
- Outwith the above times, groundborne noise from construction related activities shall not exceed 30dB LASmax.

3.53 Planning conditions are not normally used to control construction noise however, given the size and duration of the construction project, it may be advisable to incorporate the above limits into any consent to ensure the required standards are established for all parties from the start of construction.

3.54 The applicant shall be required to submit for the written approval of the planning authority, a detailed construction environmental management plan (CEMP) to include details of the proposals for noise and vibration mitigation and monitoring and the route of communication of any complaints. In that respect, it is recommended that a liaison group be established between the developer/contractor and the local community.

3.55 The developer may wish to consider carrying out a pre-construction survey of any properties where vibration might be perceptible in order to have a baseline standard against which any potential complaints about structural damage can be assessed. For the avoidance of doubt, this is simply a suggestion based on some previous experiences of the public's reaction to vibration from large construction projects. Structural damage is not something that Environmental Health can investigate.

Operational Noise and Vibration

3.56 The applicant's scoping report advises that an operational noise and vibration assessment will be undertaken in accordance with British Standard BS 4142: 2014 "Method for rating noise affecting mixed residential and industrial areas".

3.57 This Service has no objections to the choice of methodology. The assessment should demonstrate that Noise arising from this development will not have an adverse impact on existing noise sensitive properties. Monitoring locations must be agreed beforehand with Environmental Health.

3.58 With regard to operational vibration, it is understood a qualitative analysis of operational ground borne vibration and ground-borne noise will be undertaken in cognisance of the guidance in BS 6472-1:2008 "Guide to evaluation of human exposure to vibration in buildings" and BS 7385-2:1993 "Evaluation and measurement for vibration in building".

3.59 The following limits would be recommended for a development of this size and nature: Unless otherwise authorised in writing by the Planning Authority the vibration dose value generated by this development shall not exceed 0.1 m·s-1.75 as measured or calculated in

accordance with BS 6472-2-2008 Part 1 Vibration sources other than blasting. Unless there is a clear difference between night time and day time operational activities, this standard shall apply to both periods. For operational groundborne noise the recommended limit would be 30dB LAS max.

Switching Station

3.60 The applicant will be required to submit a separate noise assessment in respect of the proposed substation/switching station which demonstrates that noise will meet the following standards:

- 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 30 dB, at noise sensitive premises;
- The Rating Level of noise arising from the use of plant, machinery or equipment installed or operated within the operational land of the sub-station, must not exceed the current background noise levels at noise sensitive premises. The Rating Level should be calculated in accordance with BS 4142: 2014+A1:2019 Methods for rating and assessing industrial and commercial sound.

Dust

3.61 Prior to the development commencing, the applicant shall submit, for the written approval of the planning authority, details of a dust mitigation scheme designed to protect neighbouring properties from dust arising from this development. Particular attention should be paid to the formation of new access tracks and construction traffic.

Private Water Supplies

3.62 Prior to the commencement of the development, the applicant will be required to carry out an investigation to identify any private water supplies infrastructure 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. It should also include proposals for contingency measures in the event of an incident. As noted, 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.

Temporary Accommodation

3.63 It is understood that the development will involve a significant workforce and that a Housing Strategy will be submitted with the application setting out potential options for workers accommodation including utilising temporary on-site accommodation where feasible, whilst considering options for use within local accommodation, park and ride and other options.

3.64 One of the implications may be the need to utilise a new or existing private water supply. If so, any application will be required to include a completed PWS Planning Questionnaire (Form PWS 1) and written report from a competent person (qualified engineer, hydrogeologist, or other similarly qualified suitable person), that confirms the accommodation will be served by a sufficient piped supply of wholesome water.

3.65 In particular, the report must include the following:

a) Information to demonstrate that there will be sufficient water to meet the demands of all properties and activities on the supply. If other properties are already using the same water source, the report must clearly show that these will not be adversely affected by the proposed development. Calculations should be based on 200 litres per person per day based on the maximum potential occupancy;

b) Sufficient information to demonstrate that the water can meet the water quality standard requirements (The Private Water Supplies (Scotland) Regulations 2006 or The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017). The report shall include a risk assessment which identifies potential sources of contamination and state the measures which will be taken to minimise the risks to anyone using the supply;

c) A description of any proposed treatment systems. The choice and design of any treatment system should take into account any foreseeable variability in raw water quality.

Traffic and Transport

3.66 Highland Council's Transport Planning Team notes that their 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.

3.67 The Transport Planning Team note the intention for the EIA to scope out traffic and transport matters for the ongoing operation and decommissioning of the proposed development. Whilst they agree with the scoping out of the decommissioning aspect, they could only agree to scoping out of the operational phase if the proposed development would not be including a new visitor centre. They note there is reference to the potential for such a facility within the scoping document. If this was to be included as part of any application made, they would expect the EIA and supporting Transport Assessment (TA) to take account of this.

3.68 The scope of the study area of the EIA from a traffic and transport perspective will need to be informed by the proposed port of entry for abnormal loads (AILs) and the routing of such loads to and from the development site. It will also be informed by the proposed sourcing of key imported materials to the site (e.g. aggregate, concrete and bitumen road surfacing). On this latter point, Transport Planning note reference to the potential of utilising materials from the Breedon Quarry at Beauly, with access being taken along the A833/A831/A82(T). To be clear, the A833 north of Cannich is not suitable for accommodating high numbers of large commercial goods vehicles without extensive improvements. Any assessment of access needs should be cognisant of that and come forward with appropriate improvements for the A833, or more appropriate alternative routing chosen if that quarry is to be utilised.

3.69 There are currently 3 options for accessing the development site, with 2 shown directly off the A82(T) south of Drumnadrochit and 1 off the A831 at Balnain. The submission will need to clarify the intended approach for construction and ongoing operational access to and from this development, with the scope of the EIA and TA work done from a Traffic and Transport perspective being informed by the proposed point of access(es) and routing to and from that. Transport Planning's preference would be for the means of access to make

the best-use of the route hierarchy in that area and to take access direct from the Trunk Road Network. However, they note that work is still ongoing with regards to that.

3.70 Should there be local public roads impacted, the scope of the assessment work required through the EIA and supporting TA work should adequately cover the requirements set out.

3.71 When comparing construction traffic impacts to existing surveyed traffic flows, do not use 24-hour annual average daily traffic flows (AADT) on the routes, as most construction work is likely to be concentrated during a period 07:00 – 19:00. Therefore, existing 12-hour flows for those time periods should be used, not AADT.

3.72 When quantifying predicted construction-related traffic, any submission should fully set out all assumptions made in support of that. Where assumptions are made about such things as the quantum of material sourced on site, the occupancy of vehicles moving the workforce to and from the site, the amount of plant or material moved by barge etc, the submission should fully set out what the implications to traffic movements could be if such assumptions do not materialise. This should then be reviewed as sensitivity tests to understand what the likely implications will be to the assessment.

3.73 Transport Planning note the intention to follow the IEMA Guidelines 2023 for assessing the environmental implications of the developments traffic and transport impacts. Whilst this may be appropriate for environmental impacts, it will not be sufficient for determining the condition and physical capability of any local public roads impacted to accommodate the proposed quantum and types of construction traffic predicted.

3.74 Any TA submitted will be required to assess the physical condition and capability of impacted local public roads and, where deemed necessary, justify the adequacy of proposed physical improvements to keep those routes operationally safe for all users, including construction traffic, throughout the works.

3.75 Transport Planning also note the intention to use the following rules from the IEMA Guidelines 2023 as triggers for requiring further consideration of the environmental implications from traffic associated with the construction and operation of the new facility:

- Rule 1: Road links where traffic flows or HGV's increase by more than 30%.
- Rule 2: Road links of high sensitivity where traffic flows or HGV's increase by more than 10%. To be clear, we would expect any sections of single-track public road with passing places to be deemed as high sensitivity and adhering with the requirements of Rule 2 above. This reflects how sensitive such routes are to changes in traffic flows and vehicle make-ups

3.76 The above information is not exhaustive and shall be used as a guide for submission of all relevant information in relation to roads, traffic and transport matters arising from the development proposals, which shall be in the form of a Transport Statement/Assessment forming part of the Environmental Statement submission. The EIAR must also consider the implications on the Trunk Road network as part of the EIAR process. A note regarding matters to be included in the Transport Statement is attached with Highland Council's Scoping opinion.

Geology and Soils

3.77 The EIAR must consider the risks of engineering instability relating to presence to peat on the site. A comprehensive peat slide risk assessment in accordance with the Scottish Government Best Practice Guide for Developers will be expected. Assessment should also address pollution risk and environmental sensitivities of the water environment. It should include a detailed map of peat depth and evidence that the scheme minimises impact on areas of deep peat. The EIAR should include site-specific principles on which construction method statements would be developed for engineering works in peat land areas, including access roads, turbine bases and hard standing areas, and these should include particular reference to drainage impacts, dewatering and disposal of excavated peat.

3.78 As previously noted, the EIAR should include a full assessment on the impact of the development on peat. Policy 55 Peat and Soils, of the HwLDP, states that development proposals should demonstrate how they have avoided unnecessary disturbance, degradation or erosion of peat and soils. As such, the phase 1 peat depth survey as proposed in the Scoping Report is welcomed in order to ensure that the final infrastructure design avoids deep peat and any sensitive habitats. The mitigation hierarchy must be followed, with impacts avoided and minimised where possible.

3.79 SEPA can provide detailed advice on methodology for peat probing and the peat assessment. The peat depth survey should be presented as a table detailing re-use proposals.

3.80 Carbon balance calculations should be undertaken and included within the EIAR with a summary of the results provided focussing on the carbon payback period for the wind farm.

3.81 The EIAR should fully describe the likely significant effects of the development on the local geology including aspects such as borrow pits, earthworks, site restoration and the soil generally including direct effects and any indirect. Proposals should demonstrate construction practices that help to minimise the use of raw materials and maximise the use of secondary aggregates and recycled or renewable materials. Where borrow pits are proposed the EIAR should include information regarding the location, size and nature of these borrow pits including information on the depth of the borrow pit floor and the borrow pit final reinstated profile, Site Management Plan and pollution prevention measures. Borrow pits should be located in an area demonstrating the least environmental impact, while any aggregate sourced from offsite should not impact on the chemistry of the existing groundwater and must be of a high enough quality not to cause siltation to waterbodies or wetlands. Including this information can avoid the need for further applications.

3.82 In order to protect peatland and limit carbon emissions from carbon rich soils a Peatland Management Plan (PMP) should be provided. The PMP should demonstrate that proposals:

- Avoid peatland in near natural condition, as this has the lowest greenhouse gas emissions of all peatland condition categories;
- Minimise the total area and volume of peat disturbance. Clearly demonstrate how the infrastructure layout design has targeted areas where carbon rich soils are absent or the shallowest peat reasonably practicable. Avoid peat > 1m depth;
- Minimise impact on local hydrology; and

- Include adequate peat probing information to inform the site layout and demonstrate that the above has been achieved. As a minimum this should follow the requirements of the Peatland Survey – Guidance on Developments on Peatland (2017).

3.83 The Peatland Condition Assessment photographic guide lists the criteria for each condition category and illustrates how to identify each condition category. This should be used to identify peatland in near natural condition and can be helpful in identifying areas where peatland restoration could be carried out.

3.84 In line with the requirements of Policy 5d. of NPF4, the development proposal should include plans to restore and/or enhance the site into a functioning peatland system capable of achieving carbon sequestration. The PMP should also include:

- Information on peatland condition;
- Information demonstrating avoidance and minimisation of peat disturbance;
- Excavation volumes of acrotelmic, catotelmic and amorphous peat. These should include a contingency factor to consider variables such as bulking and uncertainties in the estimation of peat volumes;
- Proposals for temporary storage and handling;
- Reuse volumes in different elements of site reinstatement and restoration.

3.85 Handling and temporary storage of peat should be minimised. catotelmic peat should be kept wet, covered by vegetated turves and re-used in its final location immediately after excavation. It is not suitable for use in verge reinstatement, re-profiling/landscaping, spreading, mixing with mineral soils or use in bunds.

3.86 Disposal of peat is not acceptable. It should be clearly demonstrated that all peat disturbed by the development can be used in site reinstatement (making good areas which have been disturbed by the development) or peatland restoration (using disturbed peat for habitat restoration or improvement works in areas not directly impacted by the development, which may need to include locations outwith the development boundary).

Forestry

3.87 Whilst Highland Council's Forestry Officer has not had a chance to visit the site they have provided the following comments having compared the proposals with scaled aerial photography, Native Woodland Survey of Scotland (NWSS) and Ancient Woodland Inventory (AWI). The proposed development site is located within predominantly open ground but there are still significant areas of non-native and native productive conifer and native broadleaves along the side of Loch Ness, around Glen Coiltie and in the FLS woodland to the south of the A831.

3.88 NPF4 Policy 6 b) notes that Development proposals will not be supported where they will result in: i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition; ii. Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value; iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy.

3.89 NPF4 Policy 6 c) notes that Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.

3.90 The Control of Woodland Removal policy notes that "There will be a strong presumption against removing the following types of woodland: ancient semi-natural woodland; … or woodlands listed as 'Plantations on Ancient Woodland Sites' (PAWS)….".

3.91 The applicant has provided a Scoping Report which contains a number of drawings including the indicative layout of the above and below ground infrastructure of the proposed development.

3.92 The proposal covers a significant area and are only shown indicatively at this stage, so it is not possible to tell what impact there might be on trees and woodlands. However, there would appear to be development in productive conifer woodland as well as through mature native woodland listed in the AWI. While development in productive woodland may be accepted with compensatory planting, the applicant will need to minimise the adverse impact on native and ancient woodland, in line with NPF4

3.93 In the Scoping Report there is a Forestry Chapter (17) which appears to only cover productive forestry. The Forestry Chapter includes comment on baseline conditions, methodology, potential effects of proposed development and mitigation. It is stated in the Introduction (17.1) that "The design of the Development to minimise woodland removal whilst considering other environmental aspects is a key part of the design process". This is a welcome intention, but the indicative layout still appears to show significant adverse impact on ancient woodland.

3.94 The Terrestrial Ecology Chapter (6) makes reference to woodland listed in the AWI in the Non-Statutory Designated Sites section (6.4.1.2) but in the Habitats section (6.4.2) there does not appear to be much reference to native woodland, just pine woodland, with no mention of native broadleaf woodland. As such, the Forestry Officer is concerned that native woodland around Inchtellach House and Corby Wood have not been identified and fully considered at this stage.

3.95 The scoping proposals set out in the Forestry Chapter of the scoping Report are broadly accepted, but for the avoidance of doubt, the Forestry Officer would recommend the following:

- The applicant will need to provide an ES which includes a baseline survey of all the woodlands, trees and plants (including fungi, lichens and bryophytes) present on the site to determine the presence of any rare or threatened species. This could be a specific Forestry Chapter by a professional forester which identifies the location, area, type and condition of all productive woodland on and around the route along with a Terrestrial Ecology chapter which identifies the location, area, type and condition of all native woodland;
- The applicant will also need to provide a breakdown of the impact of the proposals on woodland by type (productive, native or both), as well as making clear the likely

impact on woodland listed in the AWI under the various categories and also provide confirmation of the impact on native woodland listed in the NWSS;

- The applicant should design the layout to minimise the impact on woodland as much as possible and in particular, the adverse impact on native broadleaf woodland and woodland listed on the AWI as ASNO should be minimised. The ES should include Tree Constraints Plans and Tree Protection Plans to BS 5837:2012 to show how retained trees/woodland would be safeguarded from construction activity as well as a tree/woodland removal drawing which shows the extent of woodland that would need to be removed to accommodate new development;
- The applicant will also need to provide a Landscape Plan and Landscape Maintenance Plan which shows how trees to be removed are to be replaced with on-site planting and to show how the visual amenity of the local landscape is to be enriched;
- Where woodland is proposed to be removed, compliance with the Scottish Government's Control of Woodland Removal policy must be demonstrated. Where there are any proposals for woodland removal, compensatory planting of an area of new woodland, of a scale and type of woodland equivalent to that which is to be removed is a clear expectation. With this application, any compensatory planting is likely to be off-site.

Contaminated Land

3.96 Considering the nature of the site presented in the Scoping Report, there are no specific concerns in this respect.

Socio-Economic, Recreation and Tourism

3.97 It is considered that this should have its own chapter in the EIAR to ensure that these matters are appropriately addressed and not lost in other assessments. 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, operation and decommissioning of the development.

3.98 Estimations of 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. should be included. 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. In this regard wind farm development experience in this location should be used to help set the basis of likely impact. 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.

Community Benefit

3.99 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, with the aforementioned Policy Statement reinforcing the notion that the right development should be permitted in the right place.

3.100 Notwithstanding that renewable energy developments contribute to the production and supply of renewable energy, The Council maintains that this commitment must be taken in balance along with all other considerations, and that such developments should be located, sited, and designed appropriately and thus assessed against the wider development plan policies.

3.101 Developer Contributions, Community Benefit & Community Wealth Building will all need to be considered as the scheme develops with Developer Contributions sought towards Transport (including Active Travel), Green Infrastructure, Water & Waste and Public Art/Realm in compliance with NPF4 Policy 18 (Infrastructure first), HwLDP Policy 31 (Developer Contributions) and Developer Contributions Supplementary Guidance (2018).

3.102 Your attention is also drawn to the fact that the council has a separate remit to promote community benefit which is distinct and separate from planning. The policy contains contacts for further discussion on this matter and we would encourage the developer to engage early in the process. 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.

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

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

3.104 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.

Public Access

Access Management Plan

3.105 Highland Council's Access Officer notes there are two aspects of the project to consider from the Access Authority's perspective. One is the impact which the construction phase

and permanent works have on existing access routes. The other is what opportunity exists in terms of access improvements as a legacy of the project.

3.106 This proposal has the potential to have a significant negative impact on public access. It will affect public rights of way, core paths, long distance trails, the Great Glen Way, the Great Glen Canoe Trail and several other old, new and proposed parts of the wider paths network. Its impact on pubic access should be assessed in accordance with NatureScot's handbook on EIA. The Access Officer noted that early direct engagement with the Council's Long Distance Routes team is essential.

Health and Safety

3.107 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.

3.108 Depending on the proximity of the working area to houses etc. the applicant may require to submit a scheme for the suppression of dust during construction. Particular attention should be paid to construction traffic movements.

3.109 A number of the aforementioned matters should be addressed by a CEMD for the proposal. While acceptable in principle we would request that an Outline CEMD is included with the application as well as an outline Decommissioning and Reinstatement Plan.

Further Representation

3.110 Glengarry Community Council submitted comments noting the EIAR shall include adequate details covering the description of the proposed development, alternatives, environmental elements affected, landscape and visual impacts, ecology, terrestrial and aquatic, and ornithology, geology and ground conditions, water environment, flood risk and water resources, cultural heritage, access, traffic and transport, noise and vibration, air quality, socio-economics, recreation and tourism. Their comments have been attached.

3.111 Buglife submitted comments regarding the scope of macroinvertebrate and errestrial invertebrate surveys that will inform the EIAR. Their comments have been attached.

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.

Roddy Dowell
Principal Planner – Strategic Projects Team
Direct Dial: 01463 785 046
E-mail: Roddy.Dowell@highland.gov.uk

The Highland Council
Comhairle na Gàidhealtachd

LANDSCAPE OFFICER - Scoping Response

Application Name	Proposed pumped strorage hydro scheme Glen Earrach / Loch nam Breac Dearga
Planning Reference	24/02045/SCOP
Planning Case Officer	Roddy Dowell
Date of Response	11/06/2024

Response
The Landscape and Visual Impact Assessment of the proposed development should include any cumulative effects arising from interaction with existing and proposed wind energy developments. While the developments are very different in nature, both represent large scale, man-made interventions in the landscape, with potential to change the perception of scale and distance within the landscape. The proposed viewpoints appear to largely cover the predicted receptors, but I would request a viewpoint from Meall Fuar-Mhonaidh itself. While it is clear that much of the summit plateau is not likely to have visibility, the resolution of the supplied ZTV is not sufficient to rule out visibility from the north west edge of the plateau and the effects from here need to be understood and assessed. I would also note that in addition to the access routes noted in the Scoping Statement, there is also a claimed Right of Way to the north of Loch Nam Breac Dearga.

Name	Anne Cowling		
Email	anne.cowling@highland.gov.uk	Phone	01463 785151 (direct dial)

Glen Urquhart Community Council Scoping Response

Applicant: **Glen Earrach Energy Ltd**

Project: **Glen Earrach Pumped Storage Hydro Project (ECU000005121) (Highland Council 24/02045/SCOP)**

The Glen Urquhart Community Council requests that any Environmental Impact Assessment Report (EIAR) in support of an application for a pump storage development at Glen Earrach consider the comments noted below.

Description of the Development

The following should be included:

- a full description of the physical characteristics of the whole development and the full land-use requirements during the operational, construction and decommissioning phases. These should include requirements for borrow pits, local road improvements, infrastructure connections (i.e. connections to the national grid), off site conservation measures, etc.
  Full description of project required to enable full assessment of project.
- 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, e.g. nature and quantity of materials used;
- a full description of the project construction phases – including mobilization, construction, testing, commissioning and de-mobilization phases. Description to include overview of activities and impact of each phase.
- a Materials management plan
- the risk of accidents, particularly re 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 etc) resulting from the construction phase and operation of the development; and
- an estimate of the cumulative impact of the project in combination with other consented or operational developments

Alternatives

A statement that outlines the main development alternatives considered by the applicant and an indication of the main reasons for the final project choice is required and should include the following:

- the location criteria and economic parameters used in the 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.

Such an assessment should also highlight sustainable development attributes e.g. assessment of carbon emissions.

Environmental Elements Affected

The EIAR must provide a description of all aspects of the environment likely to be significantly affected by the development. There are a number of other large scale developments in the area and within The Highland Council jurisdiction and these and their cumulative effects should be taken into account in the assessment of the development. This is to ensure that the information provided is relevant and robust.

National Planning Framework 4 must be taken into account along with the Highland-wide Local Development Plan, and guidance taken from the Highland Renewable Energy Strategy and Planning Guidelines.

A Sustainable Design Statement should be included, taking reference from the Council's Sustainable Design Guide.

Landscape and Visual

The EIAR should consider both the landscape and the visual impact of the development. This should include the expected impact of borrow pits, ponds, embankments, tracks, cable routes, construction/mobilization staging areas and infrastructure connections.

Visualizations to be provided in form of virtual tour over study area – rather than flat photo montages from representative viewpoints. Visualisations to be provided for all phases of development.

Visual Impact assessment to outline considered and potential mitigation measures noted during design.

Ecology, Terrestrial and Aquatic, and Ornithology.

There should be full surveys completed of all habitats, particularly rare and threatened habitats and include upper and lower plants, breeding birds, including migrating birds, and animals, including mammals, reptiles and amphibians. It should be established which species are present on site and their location before any application is submitted.

Habitat enhancement and mitigation measures should be detailed along with any priority species within the Highland Nature Biodiversity Action Plan.

Habitat assessment to confirm Habitats Regulation Appraisal completed as required.

Geology and Ground Conditions

There should be a full assessment on the impact of the development on peat which should be in line with NPF4, policy 5.

A description of the likely effects, both direct and indirect, of the development on the local geology including borrow pits, earthworks, site restoration and the soil in general should also be included.

Water Environment, Flood Risk and Water Resources

The nature of the hydrology and hydrogeology of the land must be addressed, along with an assessment of the potential impacts on water courses, water supplies

particularly private supplies, groundwater, water quality and quantity and on aquatic flora and fauna.

Measures to prevent erosion, sedimentation or discolouration will be required along with monitoring and contingency plans.

Cultural Heritage

All designated and non-designated sites that could be affected by the development, directly or indirectly, must be identified.

Access, Traffic and Transport

A construction traffic management plan will be required. This should include impacts on carriageway, other road users, adjacent communities, road safety measures etc

It is noted that the proposed access route will follow the lines of some existing tracks. To clarify the presence of existing and the extent to which tracks are being upgraded or newly constructed, the following should be taken into account:

Indicate which sections of the proposed access track are to be made from existing tracks that are to be upgraded and which will be newly constructed;

Which sections of the proposed access track would permanent and which would be temporary.

Noise and Vibration

A detailed construction and operation noise assessment will be required along with an assessment of vibration, from construction and operation works, affecting adjacent communities and buildings.

Air quality

The EIAR should include impact on air quality during all project phases.

Socio-Economics, Recreation and Tourism

The EIAR should estimate who may be affected by the development, e.g. individual households, local communities or a wider socio-economic group such as tourists and tourist related businesses, recreational groups etc. The application should include relevant economic information connected with the project, including the potential number of jobs and the economic activity, both regional and local, associated with the procurement, construction, operation and decommissioning of the development.

EIAR should outline community engagement process including establishment of community liaison group and process for communication to community on all aspects of project. Developer should outline process of partnership with community and impacted groups.

The Highland Council
Comhairle na Gàidhealtachd

Memorandum

To:	Planning Service (Roddy Dowell – Case Officer)
From:	Transport Planning Team
Subject:	Glen Earrach / Loch Nam Breac Dearga Pumped Storage Hydro Scheme, Invermoriston
Date:	8 July 2024
Your ref:	24/02045/SCOP

Thank you for giving us the opportunity to comment on the information submitted in support of the above Application. Our findings have been set out below.

Findings

We note the intention for the EIA to scope out traffic and transport matters for the ongoing operation and decommissioning of the proposed development. Whilst we agree with the scoping out of the decommissioning aspect, we could only agree to scoping out of the operational phase if the proposed development would not be including a new visitor centre. We note there is reference to the potential for such a facility within the scoping document. If this was to be included as part of any application made, we would expect the EIA and supporting Transport Assessment (TA) to take account of this.

The scope of the study area of the EIA from a traffic and transport perspective will need to be informed by the proposed port of entry for abnormal loads (AILs) and the routing of such loads to and from the development site. It will also be informed by the proposed sourcing of key imported materials to the site (eg aggregate, concrete and bitumen road surfacing). On this latter point, we note reference to the potential of utilising materials from the Breedon Quarry at Beauly, with access being taken along the A833 / A831 / A82(T). To be clear, the A833 north of Cannich is not suitable for accommodating high numbers of large commercial goods vehicles without extensive improvements. Any assessment of access needs should be

cognisant of that and come forward with appropriate improvements for the A833, or more appropriate alternative routing chosen if that quarry is to be utilised.

We note there are currently 3 options for accessing the development site, with 2No. shown directly off the A82(T) south of Drumnadrochit and 1No. off the A831 at Balnain. The submission will need to clarify the intended approach for construction and ongoing operational access to and from this development, with the scope of the EIA and TA work done from a Traffic and Transport perspective being informed by the proposed point of access(es) and routing to and from that. Our preference would be for the means of access to make the best-use of the route hierarchy in that area and to take access direct from the Trunk Road Network. However, we note that work is still ongoing with regards to that.

Should there be local public roads impacted, the scope of the assessment work required through the EIA and supporting TA work should adequately cover the requirements set out on the attached note.

When comparing construction traffic impacts to existing surveyed traffic flows, do not use 24-hour annual average daily traffic flows (AADT) on the routes, as most construction work is likely to be concentrated during a period 07:00 – 19:00. Therefore, existing 12-hour flows for those time periods should be used, not AADT.

When quantifying predicted construction-related traffic, any submission should fully set out all assumptions made in support of that. Where assumptions are made about such things as the quantum of material sourced on site, the occupancy of vehicles moving the workforce to and from the site, the amount of plant or material moved by barge etc, the submission should fully set out what the implications to traffic movements could be if such assumptions do not materialise. This should then be reviewed as sensitivity tests to understand what the likely implications will be to the assessment.

We note the intention to follow the IEMA Guidelines 2023 for assessing the environmental implications of the developments traffic and transport impacts. Whilst this may be appropriate for environmental impacts, it will not be sufficient for determining the condition and physical capability of any local public roads impacted to accommodate the proposed quantum and types of construction traffic predicted.

Any TA submitted will be required to assess the physical condition and capability of impacted local public roads and, where deemed necessary, justify the adequacy of proposed physical improvements to keep those routes operationally safe for all users, including construction traffic, throughout the works.

We also note the intention to use the following rules from the IEMA Guidelines 2023 as triggers for requiring further consideration of the environmental implications from traffic associated with the construction and operation of the new facility:

- Rule 1: Road links where traffic flows or HGV's increase by more than 30%.
- Rule 2: Road links of high sensitivity where traffic flows or HGV's increase by more than 10%.

To be clear, we would expect any sections of single-track public road with passing places to be deemed as high sensitivity and adhering with the requirements of Rule 2 above. This reflects how sensitive such routes are to changes in traffic flows and vehicle make-ups.

Transport Planning Team

Matters to be included in a Transport Assessment:

1. Identify all public roads affected by the development. In addition to transporting major components, this should also include routes to be used by local suppliers and the workforce.

2 Set out the existing nature and condition of these public roads. This should include:
- The road name and number, where applicable.
- Road widths, including any pinch points.
- The nature of their horizontal and vertical alignments, including any known steep gradients.
- The location and condition of existing passing places on single track roads.
- An assessment of the carriageway strength including, where necessary, construction depths and road formation where there is likely to be significant proposed impacts. This may include the need for non-destructive testing and sampling as required to determine the carriageway construction and strength. This work should be undertaken by a suitably capable and qualified consulting engineer acceptable to the Council.
- The location and nature of any structures either spanning or supporting the roads, including a description of their nature (eg bridge, culvert etc), any width, height or weight restrictions and where necessary, an assessment of their load carrying capability. This work should be undertaken by a suitably capable & qualified consulting engineer acceptable to the Council.
- The nature and quantum of properties serviced by the roads. In addition to the quantum of residential properties, specific recognition should be made of any schools, businesses or other community facilities serviced by these roads.
- The nature and quantum of existing traffic flows on these roads. This should include reference to how often the roads are used by school or commercial bus services, refuse vehicles and whether the routes are used by pedestrians, cyclists and equestrians.

3 Identify the anticipated impacts from the proposed development, including any cumulative impacts from other developments likely to be happening at the same time as your development. These impacts should include:
- The quantum of new traffic impacting on these roads. This should cover:
    - numbers of light and heavy vehicles
    - numbers of abnormal loads
    - profiles of anticipated new traffic movements throughout the duration of the works
- Any impacts to existing carriageways, structures, verges or other aspects of these public roads. This should include information on swept paths and gradient analysis where it is envisaged that the passage of traffic could be problematic.
- The location of any new or changes to existing accesses off these public roads to be used for accessing this development. This should include the extent of existing visibility from each of these accesses onto the public roads.
- Any impacts or restrictions needing to be imposed on existing road users.
- Any impacts or restrictions needing to be imposed on adjacent properties or local communities serviced by these public roads.

4 Set out the proposed mitigation measures needed to tackle the anticipated impacts set out above. This should include:
- The location and nature of any carriageway widening or strengthening.
- Visibility improvements at access points and along the public roads forming access routes.
- The location and nature of any strengthening or widening needed to existing structures.
- The provision of new or enhanced passing places on single track roads.
- Road safety measures to manage the impacts of any identified road safety concerns.
- Traffic management proposals for the construction and ongoing operation of the facility.

5 Any residual effects on the road network and its users following implementation of the proposed mitigation and any actions proposed associated with those residual effects.

The Highland Council
Comhairle na Gàidhealtachd

FORESTRY TEAM

Consultation Response

Application Name	Glen Earrach/ Loch nam Breac Dearga Pumped Storage Scheme
Planning Reference	24/02045/SCOP
Planning Case Officer	Roddy Dowell
Date of Response	17/09/24

I have not had a chance to visit the site since being consulted but have compared the proposals against our scaled aerial photography, the Native Woodland Survey of Scotland and the Ancient Woodland Inventory.

The site is predominantly open ground but there are still significant areas of non-native and native productive conifer and native broadleaves along the side of Loch Ness, around Glen Coiltie and in the FLS woodland to the south of the A831.

NPF4 Policy 6 b) notes that Development proposals will not be supported where they will result in: i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition; ii. Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value; iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy.

NPF4 Policy 6 c) notes that Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.

The Control of Woodland Removal policy notes that "*There will be a strong presumption against removing the following types of woodland: ancient semi-natural woodland; … or woodlands listed as 'Plantations on Ancient Woodland Sites' (PAWS)….*"

The applicant has provided a Scoping Report which contains a number of drawings including the indicative layout of the above and below ground infrastructure of the proposed development.

The proposals cover a significant area and are only shown indicatively at this stage, so it is not possible to tell what impact there might be on trees and woodlands. However, there

would appear to be development proposals in productive conifer woodland as well as through mature native woodland listed in the AWI. While development in productive woodland may be accepted with compensatory planting, the applicant will need to minimise the adverse impact on native and ancient woodland, in line with NPF4.

In the Scoping Report there is a Forestry Chapter (17) which appears to only cover productive forestry. The Forestry Chapter includes comment on baseline conditions, methodology, potential effects of proposed development and mitigation. It is stated in the Introduction (17.1) that "The design of the Development to minimise woodland removal whilst considering other environmental aspects is a key part of the design process". This is a welcome intention, but the indicative layout still appears to show significant adverse impact on ancient woodland.

The Terrestrial Ecology Chapter (6) makes reference to woodland listed in the AWI in the Non-Statutory Designated Sites section (6.4.1.2) but in the Habitats section (6.4.2) there doesn't appear to be much reference to native woodland, just pine woodland, with no mention of native broadleaf woodland. I am therefore concerned that native woodland around Inchtellach House and Corby Wood have not been identified and fully considered at this stage.

The scoping proposals set out in the Forestry Chapter of the scoping Report are broadly accepted, but for the avoidance of doubt, we would recommend the following: -

The applicant will need to provide an ES which includes a baseline survey of all the woodlands, trees and plants (including fungi, lichens and bryophytes) present on the site to determine the presence of any rare or threatened species. This could be a specific Forestry Chapter by a professional forester which identifies the location, area, type and condition of all productive woodland on and around the route along with a Terrestrial Ecology chapter which identifies the location, area, type and condition of all native woodland.

The applicant will also need to provide a breakdown of the impact of the proposals on woodland by type (productive, native or both), as well as making clear the likely impact on woodland listed in the AWI under the various categories and also provide confirmation of the impact on native woodland listed in the NWSS.

The applicant should design the layout to minimise the impact on woodland as much as possible and in particular, the adverse impact on native broadleaf woodland and woodland listed on the AWI as ASNO should be minimised. The ES should include Tree Constraints Plans and Tree Protection Plans to BS 5837:2012 to show how retained trees/ woodland would be safeguarded from construction activity as well as a tree/ woodland removal drawing which shows the extent of woodland that would need to be removed to accommodate new development.

The applicant will also need to provide a Landscape Plan and Landscape Maintenance Plan which shows how trees to be removed are to be replaced with on-site planting and to show how the visual amenity of the local landscape is to be enriched.

Where woodland is proposed to be removed, compliance with the Scottish Government's Control of Woodland Removal policy must be demonstrated. Where there are any proposals for woodland removal, compensatory planting of an area of new woodland, of a scale and

type of woodland equivalent to that which is to be removed is a clear expectation. With this application, any compensatory planting is likely to be off-site.

Name	Forestry Team

Scoping Application
Environmental Health Response

Planning Ref:	24/02045/SCOP
Proposal Name	Proposed pumped strorage hydro scheme Glen Earrach / Loch nam Breac Dearga
Your Organisation	Highland Council
Your Name	Robin Fraser
Your Position	Environmental Health Officer
Email	Robin.fraser@highland.gov.uk
Date	19 June 2024

Response

Construction Noise & Vibration
The applicant's scoping report advises that a construction noise and vibration assessment will be undertaken in accordance with BS 5228-1:2009+A1:2014.

The assessment should include but is not limited to the following: -

1. A description of construction activities with reference to noise generating plant and equipment.
2. A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations*.
3. A description of any noise mitigation methods that will be employed and the predicted effect of said methods on noise levels.
4. A prediction of noise levels resultant at the curtilage of noise sensitive receptors.
5. An assessment of the predicted noise levels in comparison with relevant standards.

The following limits would be recommended for a construction project of this size and duration.

Noise

- Monday to Friday; 8am to 6pm 55dB LAeq 1 hour
- Saturdays; 8am to 1pm 55dB LAeq 1hour
- Saturdays; 1pm to 6pm 45dB LAeq 1 hour
- Out-with the above times, noise from construction related activities shall not exceed 35dB LAeq 1 hour

Vibration

- Monday to Friday; 8am to 6pm The peak particle velocity shall not exceed 5 mm·s−1
- Saturdays; 8am to 1pm The peak particle velocity shall not exceed 5 mm·s−1
- Out-with the above times, the peak particle velocity shall not exceed 0.3 mm·s-1
- The above limits apply to all construction activities other than blasting. For blasting, the applicant will be required to submit a scheme demonstrating that the best practicable means will be employed to minimise the impact of noise and vibration.

Groundborne Noise

- Monday to Friday; 8am to 6pm 35dB LASmax
- Saturdays; 8am to 6pm 35dB LASmax
- Out-with the above times, groundborne noise from construction related activities shall not exceed 30dB LASmax

Planning conditions are not normally used to control construction noise however, given the size and duration of the construction project, it may be advisable to incorporate the above limits into any consent to ensure the required standards are established for all parties from the start of construction.

The applicant shall be required to submit for the written approval of the planning authority, a detailed construction environmental management plan (CEMP) to include details of the proposals for noise and vibration mitigation and monitoring and the route of communication of any complaints. In that respect, it is recommended that a liaison group be established between the developer/contractor and the local community.

The developer may wish to consider carrying out a pre-construction survey of any properties where vibration might be perceptible in order to have a baseline standard against which any potential complaints about structural damage can be assessed. For the avoidance of doubt, this is simply a suggestion based on some previous experiences of the public's reaction to vibration from large construction projects. Structural damage is not something that Environmental Health can investigate.

Operational Noise and Vibration
The applicant's scoping report advises that an operational noise and vibration assessment will be undertaken in accordance with British Standard BS 4142: 2014 '*Method for rating noise affecting mixed residential and industrial areas'*.

This Service has no objections to the choice of methodology. The assessment should demonstrate that Noise arising from this development will not have an adverse impact on existing noise sensitive properties. Monitoring locations must be agreed beforehand with Environmental Health.

With regard to operational vibration, it is understood a qualitative analysis of operational ground borne vibration and ground-borne noise will be undertaken in cognisance of the guidance in BS 6472-1:2008 '*Guide to evaluation of human exposure to vibration in buildings*' and BS 7385-2:1993 '*Evaluation and measurement for vibration in building'.*

The following limits would be recommended for a development of this size and nature:-

Unless otherwise authorised in writing by the Planning Authority the vibration dose value generated by this development shall not exceed 0.1 $m \cdot s^{-1.75}$ as measured or calculated in accordance with BS 6472-2-2008 Part 1 *Vibration sources other than blasting*. Unless there is a clear difference between night time and day time operational activities, this standard shall apply to both periods.

For operational groundborne noise the recommended limit would be 30dB LAS max.

Switching Station
The applicant will be required to submit a separate noise assessment in respect of the proposed substation/switching station which demonstrates that noise will meet the following standards: -

- 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 30 dB, at noise sensitive premises.

- The Rating Level of noise arising from the use of plant, machinery or equipment installed or operated within the operational land of the sub-station, must not exceed the current background noise levels at noise sensitive premises. The Rating Level should be calculated in accordance with BS 4142: 2014+A1:2019 Methods for rating and assessing industrial and commercial sound.

Dust
Prior to the development commencing, the applicant shall submit, for the written approval of the planning authority, details of a dust mitigation scheme designed to protect neighbouring properties from dust arising from this development. Particular attention should be paid to the formation of new access tracks and construction traffic.

Private Water Supplies
Prior to the commencement of the development, the applicant will be required to carry out an investigation to identify any private water supplies infrastructure 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. 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.

Temporary Accommodation
It is understood that the development will involve a significant workforce and that a Housing Strategy will be submitted with the application setting out potential options for workers accommodation including utilising temporary on-site accommodation where feasible, whilst considering options for use within local accommodation, park and ride and other options.

One of the implications may be the need to utilise a new or existing private water supply. If so, any application will be required to include a completed PWS Planning Questionnaire (Form PWS 1) and written report from a competent person (qualified engineer, hydrogeologist, or other similarly qualified suitable person), that confirms the accommodation will be served by a sufficient piped supply of wholesome water.

In particular, the report must include the following: -

(a) Information to demonstrate that there will be sufficient water to meet the demands of all properties and activities on the supply. If other properties are already using the same water source, the report must clearly show that these will not be adversely affected by the proposed development. Calculations should be based on 200 litres per person per day based on the maximum potential occupancy;

(b) Sufficient information to demonstrate that the water can meet the water quality standard requirements (The Private Water Supplies (Scotland) Regulations 2006 or The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017). The report shall include a risk assessment which identifies potential sources of contamination and state the measures which will be taken to minimise the risks to anyone using the supply;

(c) A description of any proposed treatment systems. The choice and design of any treatment system should take into account any foreseeable variability in raw water quality;

Assessments to be carried out and/or submitted with application	
Operational noise assessment	Y
Detailed construction noise assessment	Y
Construction noise – scheme of best practicable means	Y
Dust suppression scheme	Y
Private water supply survey/mitigation scheme	Y
Odour impact assessment	N
Other	N

Woodland Trust Consultation Response

From: campaigning@woodlandtrust.org.uk
To: Carolanne Brown
Subject: Automatic reply: Scoping Request for Glen Earrach Pumped Storage Hydro - ECU00005121
Date: 15 May 2024 14:16:21

Hello,

Thank you for contacting the Campaigning Team at the Woodland Trust.

At present, our Campaigning Team receives over 1,000 enquiries a year relating to a wide variety of issues, with only a small team of people able to respond. As such, we employ a level or triaging and prioritisation for enquiries, primarily focusing on those concerning ancient woods and ancient and veteran trees.

It is unlikely that we will be able to respond to cases involving other woods and trees at the present time. We want to assure you that we very much care and are interested in your enquiry, but we are facing particular difficulties with staff vacancies and must prioritise those cases where our impact is most needed.

In the interests of making sure that you have the help and guidance necessary to answer your enquiry, we ask that you consider the information below:

Threats to woods and trees

In the vast majority of cases, your local Council / Planning Authority should be the first point of contact where local woods and trees are threatened – ancient, veteran or otherwise. We would always suggest urgently contacting them first about a threat to woods and trees in your locality. They may be able to help you secure a Tree Preservation Order (TPO) or address any urgent threats.

***Ancient woods or veteran trees** – where your concern involves a threat to ancient woodland or veteran trees, we ask that you please use the Report a Threat form on our website so we have the information to help you:* Report a threat (woodlandtrust.org.uk)

***Individual or garden tree felling** – if you are concerned that there may be an imminent threat to trees from unauthorised felling, please contact the Council's Planning Enforcement team and their Tree/Arboricultural Officer. Our guidance on tree felling rules provides more information:* Cutting Down Trees: Law & Legislation - Woodland Trust

***Woodland felling** – if you are concerned that unauthorised felling might be taking place, please contact the Council's Planning Enforcement team and their Tree/Arboricultural Officer. If the felling is on a large scale, you can find out from the Forestry Commission (in England), Natural*

Resources Wales, Scottish Forestry or the Northern Ireland Forest Service whether a felling licence is in place. Our guidance on tree felling rules provides more information: Cutting Down Trees: Law & Legislation - Woodland Trust

***Planning applications** – if you are concerned about a planning application that does not impact ancient woodland, veteran trees or a Woodland Trust wood, but could still affect other important habitats, you may want to use our online resources or consider contacting another local nature conservation charity, such as your local Wildlife Trust or CPRE.*

***Planning permission granted** – if you are concerned about works taking place after planning permission has been granted, please contact the Council's Planning Enforcement team and their Tree/Arboricultural Officer.*

Woodland Trust sites

If you have urgent concerns about activities taking place in a Woodland Trust wood, please email operations@woodlandtrust.org.uk.

Campaigning in your community

We have a host of resources on our website that you can access, including information on writing objections and setting up a community group: https://www.woodlandtrust.org.uk/protecting-trees-and-woods/campaign-with-us/campaign-in-your-community/.

Legal matters

If your enquiry relates to a matter that might require some legal involvement, then we'd encourage you to contact either the Environmental Law Foundation (http://elflaw.org/get-help/) or Lawyers for Nature (enquiries@lawyersfornature.com / https://www.lawyersfornature.com/). These organisations will be best placed to provide legal advice.

We kindly thank you for your patience and understanding at this particularly strained time for our team. We can only apologise if we do not respond to your enquiry and want you to know that we do care and can only respond to a limited number. We hope the information we have provided is helpful.

Thank you for supporting our woods and trees.

Glen Earrach AECOM