

March 2025

# Glen Earrach Pumped Storage Hydro

## Planning Statement

Glen Earrach Energy Ltd

## Table of Contents

<b>Executive Summary .....</b>	<b>6</b>
<b>1 Introduction .....</b>	<b>8</b>
1.1 Overview .....	8
1.2 Purpose of Planning Statement .....	8
<b>2 Site Description and Proposed Development .....</b>	<b>10</b>
2.1 Proposed Development.....	10
2.2 Site Description .....	10
2.3 Site Access.....	10
2.4 Environmental Designations .....	11
2.5 Project Components Description .....	11
2.6 Mitigation, Compensation and Enhancement Measures .....	13
2.7 Measures to Maximise the Net Economic Impact.....	15
<b>3 Consultation .....</b>	<b>17</b>
3.1 Introduction .....	17
3.2 Stakeholder Engagement .....	17
3.3 Public Consultation .....	17
<b>4 Route to Consent .....</b>	<b>18</b>
4.1 The Statutory Framework.....	18
4.2 Licences and Consents.....	19
<b>5 Need for the Proposed Development.....</b>	<b>21</b>
5.1 Introduction .....	21
5.2 Background .....	21
5.3 Benefits of Pumped Storage Hydro .....	21
5.4 International Policy Context .....	22
5.5 UK Policy Context .....	24
5.6 Scottish Policy Context .....	25
<b>6 Planning Policy Context.....</b>	<b>28</b>
6.1 Introduction .....	28
6.2 National Planning Framework 4 (2023) .....	28
6.3 Highland-wide Local Development Plan (2012).....	30
6.4 Inner Moray Firth Local Development Plan (2024) .....	30
6.5 Highland Council Supplementary Planning Guidance .....	31
6.6 Local Place Plans.....	31
<b>7 Planning Assessment.....</b>	<b>33</b>
7.1 National Planning Framework (NPF4) .....	33
7.2 Highland-wide Local Development Plan (2012).....	49
7.3 Inner Moray Firth Local Development Plan 2024 .....	62
7.4 Highland Council Supplementary Planning Guidance .....	63
7.5 Local Community Plans .....	68
<b>Appendix A Development Plan Policies .....</b>	<b>73</b>
Relevant National Planning Framework 4 Policies .....	73
Relevant Highland-wide Local Development Plan Policies .....	75

## Images

Image 1. Key Documents for S36 Application.....	9
Image 2. Energy Trilemma and Key Benefits of PSH .....	22

Quality information

Prepared by	Checked by	Verified by	Approved by
Mollie Lapsley, Consultant Town Planner & John Daly, Associate Director, Town Planning	John Daly, Associate Director, Town Planning	Gayle Adams, Technical Director, Town Planning	David Lee Technical Director – Renewable Energy

Issue History

Issue	Issue date	Details	Authorized	Name	Position
1	April 2025	Submission	DL	David Lee	Technical Director – Renewable Energy

© 2025 AECOM Limited. All Rights Reserved.

This document has been prepared by AECOM Limited (“AECOM”) for sole use of our Client (**Glen Earrach Energy Limited**) in accordance with generally accepted consultancy principles, the budget for fees and the terms of reference agreed between AECOM and the Client. Any information provided by third parties and referred to herein has not been checked or verified by AECOM, unless otherwise expressly stated in the document. No third party may rely upon this document without the prior and express written agreement of AECOM

## Tables

Table 2-1 Project Components Description.....	11
Table 2-2 Socio-Economic Benefits of the Proposed Development .....	15
Table 7-1 NPF4 Policy 3 (b) Criteria .....	35
Table 7-2 NPF4 Policy 11 (e) Assessment Criteria .....	43
Table 7-3 LDP Policy 67 Assessment Criteria.....	57

## Abbreviations

Abbreviation	Term
AMP	Access Management Plan
AOD	Above Ordnance Datum
BNG	Biodiversity Net Gain
CAR	Controlled Activities Regulations
CEMP	Construction Environmental Management Plan
CLG	Community Liaison Group
COP	Conference of the Parties
CSNP	Centralised Strategic Network Plan
CTMP	Construction Traffic Management Plan
DNO	Distribution Network Operator
ECU	Energy Consents Unit
EIA	Environmental Impact Assessment
EIAR	Environmental Impact Assessment Report
FLS	Forestry and Land Scotland
FRA	Flood Risk Assessment
FTE	Full-time Equivalent
GHG	Greenhouse Gas
GIS	Geographic Information System
GVA	Gross Value Added
HGV	Heavy Goods Vehicle
HwLDP	Highland-wide Local Development Plan
IMFLDP	Inner Moray Firth Local Development Plan
IPCC	Intergovernmental Panel on Climate Change
LCT	Landscape Character Type
LDP	Local Development Plan
LEMP	Landscape and Ecology Management Plan
LGV	Light Goods Vehicle
LPA	Local Planning Authority
LPP	Local Place Plan
MW	Megawatt
MWh	Megawatt Hours
NDC	Nationally Determined Contributions

Abbreviation	Term
NESO	National Energy System Operator
NPF	National Planning Framework
PAC	Pre-application Consultation
PAN	Planning Advice Note
PMP	Peat Management Plan
PSH	Pumped Storage Hydro
PYE	Person-years of Employment
SAC	Special Area of Conservation
SEPA	Scottish Environment Protection Agency
SLA	Special Landscape Area
SPA	Special Protection Area
SSEP	Strategic Spatial Energy Plan
SSER	Scottish and Southern Energy Renewables
SSSI	Site of Special Scientific Interest
STEM	Science, Technology, Engineering and Mathematics
SuDS	Sustainable Drainage System
tCO <sub>2</sub> e	Tonnes of CO <sub>2</sub> Equivalent
TCSNP	Transitional Centralised Strategic Network Plan
UK	United Kingdom
UNEP	United Nations Environment Programme
VP	Viewpoint
WFD	Water Framework Directive
WMP	Water Management Plan

# Executive Summary

This Planning Statement has been prepared by AECOM to support an application under Section 36 of the Electricity Act 1989 ('the Electricity Act'), together with deemed planning permission under the Town and Country Planning Act 1997, to:

*'Construct and operate the proposed Glen Earrach Pumped Storage Hydro (PSH) scheme' (hereafter referred to as the 'Proposed Development').*

The application is made by Glen Earrach Energy Limited ("the Applicant").

The Proposed Development Site is situated on the northwest side of Loch Ness as shown in **Figure 1.1 Site Location Plan (Volume 3: Figures)**. The main above-ground features of the Proposed Development include the Headpond, which would be located at the existing Loch nam Breac Dearga, and the Lower Control Works located at Loch Ness.

The Proposed Development has benefitted from pre-application discussions with The Highland Council, the Energy Consents Unit and other statutory consultees. Public engagement with the community, alongside pre-application feedback, has informed the Proposed Development and mitigation as far as practical.

This Planning Statement sets out the need for PSH, and the policy support that exists at international, UK and Scottish levels. The Intergovernmental Panel on Climate Change (IPCC) (Intergovernmental Panel on Climate Change (IPCC), 2022) considers that PSH technology can contribute to all three goals of the World Energy Council's 2022 Energy Trilemma (World Energy Council, 2022): energy security, energy equity, and environmental sustainability.

PSH schemes are additionally supported at a national level and have been identified as 'National Development' through National Planning Framework 4 (NPF4), which formally establishes the need for this development type in Scotland and provides in principle support for it. The Draft Scottish Energy Strategy and Just Transition Plan (Scottish Government, 2023) also supports the development of new PSH schemes in Scotland.

Although primacy is not given to the Development Plan in determining Section 36 applications, it constitutes a relevant consideration for Scottish Ministers. This Planning Statement assesses the Proposed Development against the statutory Development Plan policies and is informed by the assessments within the accompanying Environmental Impact Assessment Report (EIAR). This approach has also ensured that regard has been given to the categories set out in part 3 of Schedule 9 to the Electricity Act ('Preservation of amenity and fisheries: Scotland').

Significant weight in the decision-making process should be given to the renewable energy and greenhouse gases (GHG) reduction benefits of the Proposed Development, as required by NPF4 Policies 1 and 11:

- NPF4 Policy 1 emphasises that 'significant weight will be given to the global climate and nature crises'.
- NPF4 Policy 11 establishes in-principle support for renewable energy and states that 'significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets', when considering the range of potential impacts of renewable energy development.

The application also accords with Highland-wide Local Development Plan (HwLDP) Policy 67 as it will make a significant contribution towards meeting renewable energy generation targets and delivering positive effects for the local and national economy.

Within the EIAR a limited number of residual significant effects resulting from the Proposed Development have been identified. These effects relate to ornithology, landscape and visual, the water environment, climate and forestry. However, given the nature of these effects, and the proposed mitigation, compensation and significant enhancement measures, as well as the fact that the Proposed

Development meets the wider policy requirements, these effects are not considered to give rise to any policy non-compliance issues.

Overall, the Proposed Development is considered to be acceptable in planning policy terms.

# 1 Introduction

## 1.1 Overview

- 1.1.1 This Planning Statement has been prepared by AECOM on behalf of Glen Earrach Energy Limited (hereafter referred to as the 'Applicant') to accompany an application ('the Section 36 Application') which is made 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 ('the Planning Act') to:

*'Construct and operate the proposed Glen Earrach Pumped Storage Hydro (PSH) scheme' (hereafter referred to as the 'Proposed Development').*

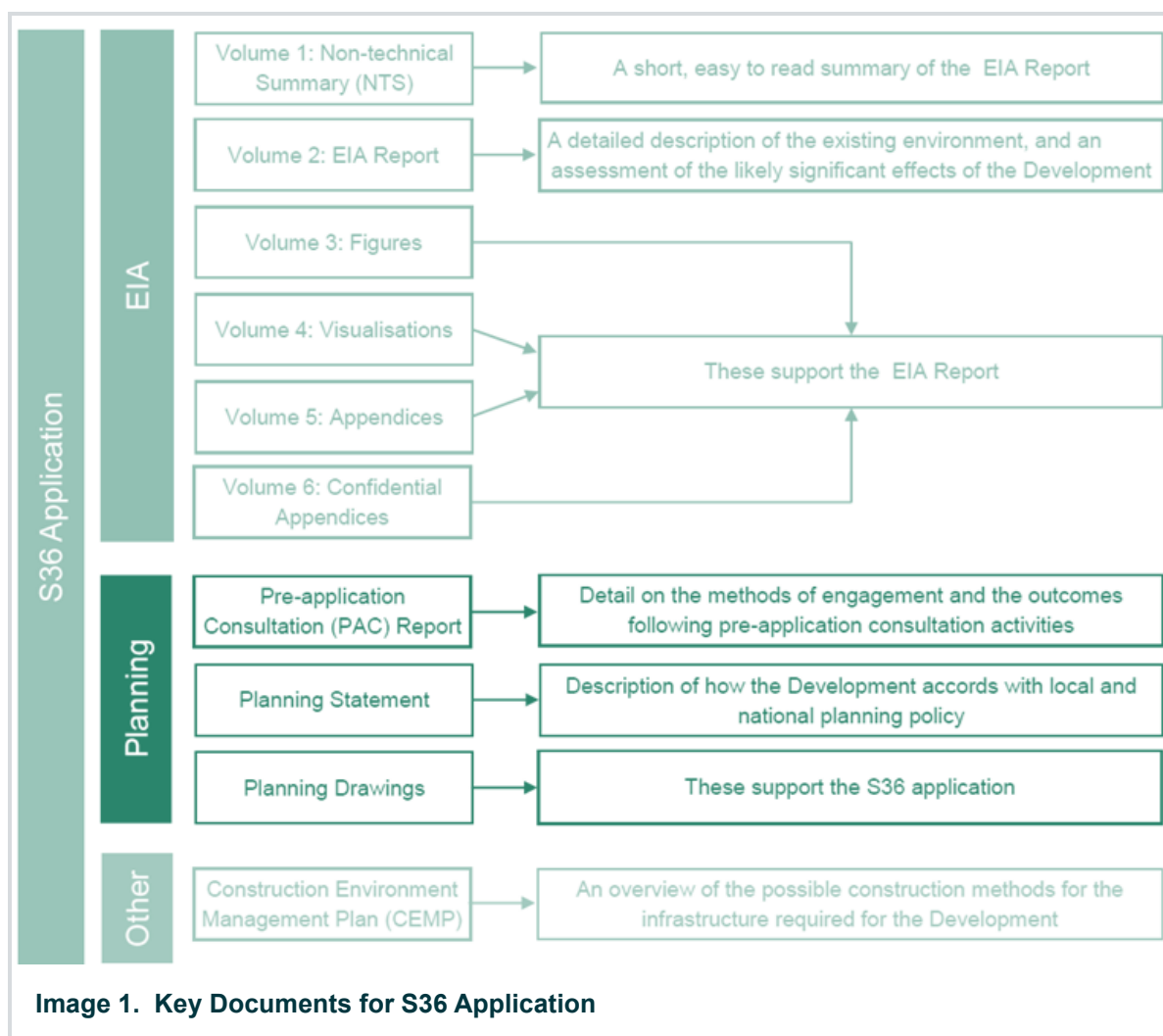
- 1.1.2 The lifespan of the Proposed Development is circa 125 years, as such no time limit is proposed as part of the Section 36 Application.
- 1.1.3 The area covered by the Proposed Development ('the Proposed Development Site') is located on the northwest side of Loch Ness, centred on national grid reference NH 45255 22395 approximately 9.5 km to the south of Drumnadrochit, and 6.5 km north of Invermoriston within The Highland Council administration region, as shown in **Figure 1.1 Site Location Plan (Volume 3: Figures)**.
- 1.1.4 This Planning Statement provides a description of the Proposed Development (**Section 2**) and outlines the consultation undertaken to inform its design and environmental assessment (**Section 3**). It then explains the route to consent for the Proposed Development (**Section 4**), before setting out the benefits of PSH and the relevant international, UK and Scottish energy policy context (**Section 5**). The Statement goes on to demonstrate how the Proposed Development aligns with national and local planning policy (**Sections 6 and 7**). Finally, the Planning Statement presents a conclusion that the Proposed Development is considered to be acceptable (**Section 8**).

## 1.2 Purpose of Planning Statement

- 1.2.1 As per the Scottish Government Energy Consents Unit's (ECU) Good Practice Guidance<sup>1</sup> (Scottish Government, 2022), the purpose of this Planning Statement is to describe how the Proposed Development accords with local and national planning policy. It also sets out relevant international, UK and Scottish policies on energy and climate change
- 1.2.2 This Planning Statement is one of the key documents submitted in support of the Section 36 Application, as illustrated in **Image 1. 'Key Documents for S36 Application'**.
- 1.2.3 The EIAR and other relevant accompanying documents are referenced throughout where they provide more detailed information that is not essential to repeat for the purposes of this Planning Statement.

<sup>1</sup> Energy Consents Unit (2022) Good Practice Guidance for Applications under Section 36 and 37 of the Electricity Act 1989 (Online) Available at: <https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2022/02/good-practice-guidance-applications-under-sections-36-37-electricity-act-1989/documents/energy-consents-unit-good-practice-guidance-applications-under-section-36-37-electricity-act-1989-february-2022/energy-consents-unit-good-practice-guidance-applications-under-section-36-37-electricity-act-1989-february-2022/govscot%3Adocument/energy-consents-unit-good-practice-guidance-applications-under-section-36-37-electricity-act-1989-february-2022.pdf>





## 2 Site Description and Proposed Development

### 2.1 Proposed Development

- 2.1.1 The Proposed Development will have a storage capacity of approximately 34,000 megawatt hours (MWh) subject to the final configuration of the Headpond, Loch nam Breac Dearga. The Proposed Development would have approximately 2,000 megawatts (MW) of installed electrical pumping capacity and 1,800 MW of installed electrical generating capacity (both subject to final pump-turbine selection).
- 2.1.2 A detailed description of the project design and the design development is provided in **Chapter 2 'Project and Site Description'** and **Chapter 3 'Evolution of Design and Alternatives'** of the EIAR. A summary of the project components is provided, further below, in **Table 2-1 Project Components Description**.
- 2.1.3 The above ground infrastructure (including the Headpond, Lower Control Works, access tracks and compounds) is shown in **Figure 2.3 Above Ground Infrastructure (Volume 3: Figures)** of the EIAR. The below ground infrastructure (including the Power Cavern Complex and wet and dry tunnels) is shown in **Figure 2.4 Below Ground Infrastructure (Volume 3: Figures)** of the EIAR.

### 2.2 Site Description

- 2.2.1 The Proposed Development Site is located in The Highland Council area, centred on national grid reference NH 45255 22395, approximately 9.5 km to the south of Drumnadrochit and 6.5 km north of Invermoriston, as shown in **Figure 1.1: Location Plan (Volume 3: Figures)**.
- 2.2.2 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).
- 2.2.3 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 Grotai and commercial forestry along the A82 and along the existing access track from Alltigh.
- 2.2.4 The Proposed Development would be predominantly located within the catchment of the Allt Saigh watercourse. The Allt Saigh is situated on the southwestern end of the Proposed Development Site and is sourced from two small lochans. The Allt Saigh flows through eight other lochs and lochans before entering Loch Ness.

### 2.3 Site Access

- 2.3.1 There are no classified roads within the main body 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

- 2.3.2 The main construction access would be off the A831 at Balnain via the existing 9.5 km unclassified existing track through 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

- 2.3.3 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 Alltigh 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.
- 2.3.4 Secondary operational access to the Lower Control Works will also be required off the A82.

## 2.4 Environmental Designations

- 2.4.1 The following designated sites are located within the Proposed Development Site:
- the Dun Scriben Fort Scheduled Monument, near Grottag, close to the southeastern boundary of the Proposed Development Site.
- 2.4.2 The following designated sites are located within the wider area:
- the Dubh Lochs Site of Special Scientific Interest (SSSI) is approximately 240 m north of the Proposed Development Site near the River Coiltie;
  - the North Inverness Lochs Special Protection Area (SPA) is also approximately 240 m north of the Proposed Development Site;
  - Levishie Wood SSSI and the River Moriston Special Area of Conservation (SAC) are around 3 km southwest of the Proposed Development Site; And,
  - Ancient woodland is also present along the banks of Loch Ness within the south-eastern section of the Proposed Development Site.
- 2.4.3 These designations are shown on **Figure 2.1 Environmental Constraints (Volume 3: Figures)** of the EIAR.

## 2.5 Project Components Description

- 2.5.1 A summary of the project components is provided in **Table 2-1 Project Components Description**.

**Table 2-1 Project Components Description**

Arrangement	Component	Description
Above Ground	Headpond	<p>The Headpond is the upper reservoir and associated embankments. The Headpond will be constructed through a combination of excavation and creation of three dams and a spillway.</p> <p>The existing topography is utilised in the design to reduce the number of dam size and length as far as practically possible.</p> <p>Components of the Headpond include:</p> <ul style="list-style-type: none"> <li>Headpond reservoir – referring to the waterbody located at NH 45255 22395 and incorporating the existing Loch nam Breac Dearga</li> <li>Main Dam</li> <li>Saddle Dam 1</li> <li>Saddle Dam 2</li> <li>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</li> <li>Upper Control Works – Where the waterways exit the Headpond.</li> </ul> <p>The Headpond will include one Borrow Pit within its interior. Borrow Pit (BP01) is required to excavate the required material for the construction of</p>

Arrangement	Component	Description
		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.
	Secondary Bund	A small earthen / concrete dam downstream of the Main Dam.
	Tailpond	The Tailpond is the lower reservoir, and in the case of this Proposed Development, will be the existing body of Loch Ness. Location: NH 54114 28417
	Lower Control Works	Where the waterways enter the Tailpond, comprised of a partially submerged structure constructed into Loch Ness with access provisions, separated smolt and trashrack screens and provisions for isolation of the waterways using bulk head gates. Location: NH 48086 21775
	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 Distribution Network Operator (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: NH 48447 25914
	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.
	Development Site Access	The main construction access is proposed off the A831 at Balnain via a 9.5 km unclassified existing track through Forestry and 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. Additional construction access will be required for the Lower Control Works on Loch Ness from the A82.
	Temporary Worker's Accommodation	Temporary workers' accommodation will be required to temporarily house construction workers during the Construction Phase of the Proposed Development. The Proposed Development includes accommodation and facilities for circa 1000 persons which will be located within the northern section of the Proposed Development Site, approximately 425 m south of the River Coiltie. 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. This will be removed and the land reinstated post-construction.
	Temporary Core Path Diversion	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. These routes will be reinstated on completion of construction. In addition, sections of the access tracks required to be constructed for the Proposed Development will be signposted. An outline Access Management Plan is provided in <b>Appendix 16.1, Volume 5</b> of the EIAR.
Below Ground	Waterways	Transfers water between the Headpond and the Tailpond. The waterways consist of:

Arrangement	Component	Description
		<ul style="list-style-type: none"> <li>Two Headrace Tunnels - Tunnels connecting the Headpond to the pump turbines within the Power Cavern.</li> </ul> <p>Two Tailrace Tunnels - Low pressure tunnel connecting the pump turbines to the Lower Control Works.</p>
	Dry Tunnels	<p>Tunnels for construction access, for permanent access to the Power Cavern and for power import/export which will be used in operation.</p> <ul style="list-style-type: none"> <li>Primary Tunnel - underground tunnel providing access (construction and operation) to the Power Cavern.</li> <li>Cable Tunnels (2 no.) - During the Construction Phase, the Cable Tunnels will be used as construction access and ventilation tunnels. During the Operational Phase they will also be used for emergency access/egress.</li> <li>Valve Cavern Access Tunnel - to allow permanent and construction access to the Valve Cavern on the Headrace Tunnels.</li> <li>Cross adits between tunnels</li> <li>Ancillary tunnels around the Power Cavern to facilitate construction and allow ventilation and emergency egress.</li> </ul>
	Underground Caverns	<p>The Power Cavern Complex - contains the mechanical and electrical equipment for generating electricity. The turbines/pumps and generator/motors will be housed within the Power Cavern and the transformers within the Transformer Cavern, connected by service galleries. The location of the powerhouse complex differs between Options A and B:</p> <ul style="list-style-type: none"> <li>Option A: Location of cavern east of Loch nam Breac Dearga</li> <li>Option B: Location of cavern northeast of Loch nam Breac Dearga.</li> </ul> <p>The Power Cavern may be one single cavern, or it may be in two adjacent sections that are connected.</p> <ul style="list-style-type: none"> <li>Valve Cavern – Contains the means of isolating the Headrace Tunnel</li> <li>Ventilation Shaft – Means of transferring heat generated in the Power Cavern Complex to the atmosphere (surface level) if required.</li> </ul>
Grid Connection	Permanent connection	The grid connection for the Development will be via the new GIS Switchyard located within the Proposed Development Site

## 2.6 Mitigation, Compensation and Enhancement Measures

### Mitigation and Compensation

- 2.6.1 A hierarchical approach has been followed in the development of mitigation and compensation measures, aiming to 'design out' adverse effects as much as possible. This approach emphasises avoiding negative impacts followed by measures preventing, reducing, or offsetting negative impacts through mitigation and compensation.
- 2.6.2 Some mitigation measures have been embedded into the design of the Proposed Development, while others, additional mitigation, have been identified through the EIA process following the identification of potential adverse effects. Where appropriate, and where significant adverse effects remain post-mitigation, compensation measures have also been identified to offset these impacts.
- 2.6.3 The mitigation and compensation measures to both minimise and reduce the environmental impacts of the Proposed Development are set out the **Mitigation Register (Appendix 19.1, Volume 5: Appendices)**.
- 2.6.4 It is anticipated that the implementation of the mitigation and compensation measures contained in the Mitigation Register will be conditioned as part of the deemed planning permission for the proposed development.
- 2.6.5 Key mitigation management plans include:

- The **outline Construction Environmental Management Plan (oCEMP) (Appendix 3.1, Volume 5: Appendices)** sets out the environmental management framework to be adopted during construction and measures to be implemented to minimise construction environmental impacts;
- The **outline Water Management Plan (oWMP) (Appendix 10.4, Volume 5: Appendices)** describes how water quality will be maintained and how watercourses and private water supplies will be protected.
- A **Framework Construction Traffic Management Plan (CTMP) (Appendix 13.1, Volume 5: Appendices)** sets out measures to be implemented to minimise adverse effects from construction traffic;
- The **outline Landscape and Ecology Management Plan (oLEMP) (Appendix 6.4, Volume 5: Appendices)** which outlines landscape and habitat restoration, compensation and enhancement measures;
- The **outline Peat Management Plan (oPMP) (Appendix 15.2, Volume 5: Appendices)** explains how peat will be managed; and,
- The **outline Access Management Plan (oAMP) (Appendix 16.1, Volume 5: Appendices)** which outlines how safe and appropriate access will be maintained for recreational users and that new recreational opportunities.

## Dochfour Weir Upgrades

- 2.6.6 A key mitigation measure to minimise impacts on fish passage and on Loch Ness is the provision of a seasonally variable weir designed and installed along the upstream edge of Dochfour Weir. This would be a permanent installation to allow additional control over water levels in Loch Ness. Details of the weir are included in **Appendix 2.1: Dochfour Weir Upgrade Description (Volume 5: Appendices)**.
- 2.6.7 The seasonally variable weir will be subject to an application for planning permission being undertaken by Scottish Canals. Further details are included in **Appendix 2.2 Letter from Scottish Canals (Volume 5: Appendices)**.
- 2.6.8 The seasonally variable weir will adjust the height of the Dochfour Weir to manage flows within the River Ness and isolate the flows in the River Ness from the impact of the PSH activities in Loch Ness. Beneficially, this will result in a more natural flow in the River Ness controlled by metrological conditions rather than PSH activities.

## Biodiversity Enhancement Measures

- 2.6.9 Biodiversity enhancement measures outlined in the **oLEMP (Appendix 6.4, Volume 5: Appendices)** are considered to significantly exceed the requirements of compensation alone and would contribute to the enhancement of biodiversity.
- 2.6.10 The following measures have been included in the Proposed Development to enhance biodiversity:
- Enhancement of 55 hectares of ancient semi-natural birchwood, through protection from deer to encourage regeneration and recruitment which are currently lacking;
  - Provision of a deer-protected buffer for ancient semi-natural woodland regeneration;
  - Planting of 700 hectares of native woodland and montane scrub, including:
    - extensive Upland Birchwood supplemented by native Scots pine woodland (approximately 547 hectares);
    - riparian woodland along watercourses (approximately 24 hectares);
    - montane dwarf birch planting and regeneration zones, supplemented with juniper and Scots pine (approximately 76 hectares);
    - montane willow scrub planting and regeneration zone (approximately 27 hectares);

- Reduction in deer density on retained open moorland (across approximately 59 km<sup>2</sup>) from 9.5 per km<sup>2</sup> at last count to 8.5 per km<sup>2</sup>;
- Provision of three ponds suitable for emerald dragonflies, a local speciality; and,
- Provision of suitable habitat for water voles to be translocated to from the Headpond.

2.6.11 These enhancement measures would achieve 12% net gain for area-based habitats and 10% net gain for watercourses, as detailed in **Appendix 7.5 Biodiversity Net Gain (Volume 5: Appendices)**.

2.6.12 The loss of blanket bog would be compensated through mainly off-site restoration in accordance with NatureScot's loss/compensation area ratio of 1:10, plus an additional 10% as enhancement. Approximately 100 hectares of potential peatland restoration areas across 62 sites within the Balmacaan Estate within which the Proposed Development Site is located have been identified within the **oPMP (Appendix 7.6, Volume 5: Appendices)**.

2.6.13 Blanket bog is addressed separately in **Appendix 7.6. oPMP (Volume 5: Appendices)**, and the 10% enhancement above the 1:10 peatland lost:restored ratio is effectively additional to the biodiversity net gains outlined at 2.6.11.

## 2.7 Measures to Maximise the Net Economic Impact

2.7.1 A **Socio-Economic Statement** has been prepared to demonstrate how the Proposed Development will maximise the net economic impact, including local and community socio-economic benefits of the Proposed Development. It also demonstrates how the Proposed Development will benefit the local community and contribute to the wellbeing of the Highlands.

2.7.2 The Socio-Economic Statement has been informed by engagement with The Highland Council (Economic Development), Community Councils<sup>2</sup> and local residents. The Socio-Economic Statement also seeks to align the Proposed Development with the principles of The Highland Council's Social Values Charter for Renewables Investment (2024).

2.7.3 A summary of the measures that demonstrate how the Proposed Development will maximise its net economic impact are set out in **Table 2-2 Socio-Economic Benefits of the Proposed Development**.

**Table 2-2 Socio-Economic Benefits of the Proposed Development**

Benefit	Details
<b>Employment Benefits</b>	
Local Economy	<p>The Proposed Development will support the diversification of the economy, support the upskilling of the workforce and provide worker spend opportunities in the Highland economy and wider Scottish economy.</p> <p>The Proposed Development will contribute:</p> <ul style="list-style-type: none"> <li>• approximately £49.5 million (GVA) to the national economy, of which £21.4 million would likely be within The Highland Council Area at the pre-construction and enabling stage.</li> <li>• approximately £306.8 million (GVA) to the national economy, of which £132.7 million would likely be within The Highland Council area at the construction stage.</li> <li>• approximately £2.3m million (GVA) to The Highland Council area economy per annum during operation.</li> </ul>
Job Creation	<p>The Proposed Development will result in the creation of 285 person-years of employment (PYE) net additional pre-construction and enabling jobs, 1,765 PYE net additional construction jobs and 41 Full-time Equivalent (FTE) renewable energy jobs at the operation stage.</p> <p>The Applicant's contractor will organise local recruitment initiatives to maximise the number of employees from the local area and from with The Highlands Council area.</p>

### Local Economy Benefits

<sup>2</sup> Glen Urquhart and Fort Augustus Community Council, Glenmoriston Community Council and the Stratherrick and Foyers Community Council.



<b>Benefit</b>	<b>Details</b>
Increased Local Spend	Workers employed during all stages of the Proposed Development would use local shops, cafes, and services. Given that construction workers will be accommodated in on-site workers accommodation, these opportunities will be provided in a managed way, via the proposed shuttle bus connections to Inverness and local settlements.
Supply Chain Benefits	<p>The Proposed Development will create opportunities for local businesses, as well as businesses within the wider Highland region and the rest of Scotland, through the procurement process.</p> <p>The Applicant and the contractors will undertake local supply chain initiatives to maximise the potential opportunities for local businesses. Examples include 'Meet the Buyer' events and suitably qualified local firms being invited to bid for different aspects of construction</p> <p>Construction materials, such as aggregates, has the potential to be sourced locally when it is not possible to use material won on site, and local transport and plant hire companies used wherever possible.</p> <p>Early engagement with local businesses and stakeholders will be undertaken to ensure they are aware of the opportunities and specific requirements.</p>
<b>Training and Development Benefits</b>	
Training and Development	<p>The Applicant expects the main contractors to work with skills and training providers, such as UHI and Skills Development Scotland, to profile the skills required to deliver this and other projects, to assist in skills planning for both the construction phase and operational lifespan.</p> <p>The Applicant and contractors will engage with education and training providers, as well as with local and strategic stakeholders, to support the skills supply response and to maximise local labour market buy-in.</p> <p>The Applicant and contractors will work with training providers to provide an information exchange and maximise the opportunities for local people to gain the right skills, work experience and new employment as a result of the proposed development.</p>
STEM Events	The Applicant and contractors will seek to promote construction site tours and operational station visits for schools to inspire future engineers. Likewise, both will help facilitate Science, Technology, Engineering and Mathematics (STEM) events to schools, colleges and universities to share knowledge on PSH and engineering and energy more generally.
<b>Environmental Benefits</b>	
Outdoor Access	New access paths, including paths adjacent to the Headpond. The paths will include seating and educational signage to provide information on the Proposed Development. Signage will be displayed in both English and Gaelic.
Biodiversity Enhancement	Biodiversity enhancement opportunities would improve essential ecosystem services such as pollination, water purification and soil fertility which are crucial for rural businesses, such as forestry. Biodiverse areas attract tourists, which can boost local economies through spending on accommodation, food, and activities.
Reduced Air Pollution and Greenhouse Gas Emissions	Reducing reliance on fossil fuels decreases air pollution and GHG emissions. This leads to improved public health and lower healthcare costs, which can have positive economic impacts.



## 3 Consultation

### 3.1 Introduction

- 3.1.1 This section summarises the consultation undertaken to date and notes the key advice received and actions taken.
- 3.1.2 A **Pre-Application Consultation Report**, included as part of this Section 36 Application, has been prepared that demonstrates that the 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). It also provides an overview of the key feedback received.

### 3.2 Stakeholder Engagement

- 3.2.1 A proactive approach was taken to ensure constructive engagement and consultation with meaningful feedback provided by stakeholders.
- 3.2.2 The consultation undertaken to date is as follows:
- EIA Scoping (April 2024 to December 2024);
  - Pre-application Advice received as part of The Highland Council's Major Pre-application Advice process (August to October 2024); and
  - Additional Consultation (Ongoing) with statutory and non-statutory consultees.
- 3.2.3 Consultation continued throughout the various stages of the EIA and design process, informing the development of the design, and ensuring that all consultees were given the opportunity to comment on the Proposed Development.
- 3.2.4 Additionally, engagement has also been undertaken with The Highland Council, key stakeholders, the local community and community councils in relation to maximising the net economic impact of the Proposed Development and on the socio-economic benefits it can deliver.

### 3.3 Public Consultation

- 3.3.1 The consultation undertaken with the local community to date is as follows:
- Early Community Engagement (May 2024);
  - Initial Public Consultation (August and September 2024); and
  - Pre-application Consultation (October and November 2024).
- 3.3.2 The feedback from the early community engagement and pre-application consultation events have been used to inform the design process, the EIAR assessments and the mitigation measures.

## 4 Route to Consent

### 4.1 The Statutory Framework

#### The Electricity Act 1989

- 4.1.1 As a PSH Scheme, the Proposed Development is classified as a generating station, which requires consent from the Scottish Ministers to construct and operate under Section 36 of the Electricity Act 1989<sup>3</sup> as it will have a capacity of more than 50 MW.
- 4.1.2 In terms of process and assessment, the following schedules of the Electricity Act are applicable:
- 4.1.3 Schedule 8 'Consents of the secretary of State and the Scottish Ministers under Section 36 and 37':
- Requires that applications for Section 36 consents must be in writing and include a site map should be provided, illustrating the location of where any generating station is proposed.
  - Ensures that the relevant local planning authority (LPA) will be involved in the application for consent. Notice is served to the LPA as part of the application process and opportunity is provided for the LPA to submit their appraisal of the project; and
  - Provision is also given to other consultees and members of the public to submit comments on the proposal.
- 4.1.4 Schedule 9 'Preservation of Amenity and Fisheries':
- Requires that a licence holder shall, in formulating any relevant proposals, have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and shall do what he reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects; and
  - Requires that, in considering applications under section 36, the Scottish Ministers shall have regard to the desirability of the matters mentioned above; and the extent to which the applicant has complied with their duty to do what they reasonably can to mitigate any effects.

#### Town and Country Planning (Scotland) Act 1997

- 4.1.5 Section 57(2) of the Planning Act<sup>4</sup> states that the Scottish Ministers can, on granting consent under Section 36 of the Electricity Act, issue a direction granting deemed planning permission for a development (subject to any specified conditions). This application to Scottish Ministers for the Proposed Development therefore requests deemed planning permission as part of the Section 36 Consent.
- 4.1.6 In the case of Section 36 applications, there is no primacy of the statutory Development Plan (as there would be under section 25 of the Planning Act for planning applications) and Pre-Application Consultation (PAC) is not a statutory requirement (as otherwise would be the case under sections 35A-C of the Planning Act). Nevertheless, the Development Plan remains a relevant consideration to the determination of a Section 36 application.
- 4.1.7 As summarised in Section 2.5 and detailed in the submitted PAC Report, extensive public engagement, including PAC events, have been undertaken.
- 4.1.8 For applications for planning permission under the Planning Act, a design and access statement is submitted with applications. The focus of design and access statements for applications for planning permission is to address access to developments for disabled individuals. It is not a requirement, under the Electricity Act, to produce a Design and Access Statement for a Section 36 application and in any event, as the sole purpose of the Proposed Development is energy generation and storage, it

<sup>4</sup> Scottish Parliament (1997) Town and Country Planning (Scotland) Act 1997 (Online). Available at: <https://www.legislation.gov.uk/ukpga/1997/8/contents>

has not been designed as an accessible destination for visitors. Appropriate provision has been made for staff access within the Proposed Development, and general site access is addressed in **Chapter 2: 'Project and Site Description'** and **Chapter 14: 'Access, Traffic, and Transport'** (Volume 2: **Main Report**). In addition, **Chapter 3: 'Evolution of Design and Alternatives'** (Volume 2: **Main Report**) provides detail on the extensive design process the Proposed Development has undergone over several years.

## Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

- 4.1.9 The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017<sup>5</sup> ('the EIA Regulations') apply to Section 36 applications, under the provisions of Regulation 1(2)(a).
- 4.1.10 The Proposed Development requires an EIA to be carried out under Schedule 2(1) of the EIA Regulations, as it will generate electricity and is considered likely to have potentially significant effects on the environment. It is therefore considered an 'EIA Development'.
- 4.1.11 Section 3 of the EIA Regulations stipulates that Section 36 consent cannot be granted by Scottish Ministers for an EIA development unless an EIA has been conducted for that development and the environmental information is considered by the Scottish Ministers.
- 4.1.12 The EIA conducted for the Proposed Development complies with the EIA Regulations, as is further detailed in the EIAR, **Chapter 4: 'Approach to EIA'** (Volume 2: **Main Report**).

## 4.2 Licences and Consents

- 4.2.1 The licences and consents detailed below will be required to construct and operate the Proposed Development.

### Section 36 Consent and Deemed Planning Permission

- 4.2.2 As described in Section 2.13 to Section 2.15 of this Planning Statement.

### Generation Licence

- 4.2.3 Section 6(1)(a) of the Electricity Act provides that a generation licence is required from Ofgem (via its governing body, the Gas and Electricity Markets Authority) to generate electricity.
- 4.2.4 This application is subject to a fee and a decision is granted within 45 working days<sup>6</sup>. The Applicant received an electricity generation licence on 27<sup>th</sup> March 2025<sup>7</sup>.

### Compulsory Acquisition of Water Rights

- 4.2.5 Schedule 5 of the Electricity Act states that where a person who holds a generation licence as per section 6(1)(a), they may be authorised by order by the Scottish Ministers:

*"to abstract and divert from any watercourse or loch and to use such water as may be necessary for the purposes of constructing or extending a generation station wholly or mainly driven by water and of operating that generation station after such construction or extension; but he shall do as little damage as possible in the exercise of the powers conferred by the authorisation and shall make compensation for any damage done in the exercise of those powers."*

- 4.2.6 The decision on whether to make an order will have regard to all the circumstances of the particular case, including: public health; the characteristics of the watercourse or loch (flow or water level); the

<sup>5</sup> Scottish Parliament (2017) The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (Online) Available at: <https://www.legislation.gov.uk/ssi/2017/101/contents>

<sup>6</sup> Ofgem. (2022). *Guidance for gas and electricity licence applications*. Online. Available at: <https://www.ofgem.gov.uk/sites/default/files/2022-03/Applying%20for%20a%20gas%20or%20electricity%20licence.pdf>. [Accessed: 22/10/24].

<sup>7</sup> Ofgem (2025) Glen Earrach Energy Limited - notice of grant of an electricity generation licence (Online) Available at: <https://www.ofgem.gov.uk/sites/default/files/2025-04/Glen-Earrach-Energy-Limited-notice-of-grant-of%20an-electricity-generation-licence.pdf>

use or potential future use of the watercourse or loch (industrial purposes or public undertakings, such as fishing, water supply, agriculture, transport and navigation); and the effect of land drainage, alteration of water flow in watercourse, or level of water in a loch. The rights of riparian owners, landowner or salmon fisheries owners will also be protected as far as practicable.

- 4.2.7 Scottish Ministers will also consider the responsibilities of the Scottish Environmental Protection Agency (SEPA) with regard to the protection of the water environment, especially the circumstances in which water may be taken and the quantity of compensation water to be provided. Part 1 of the Water Environment and Water Services (Scotland) Act 2003<sup>8</sup> is additionally taken into consideration. Any order granted will provide for the compulsory acquisition of these water rights.
- 4.2.8 It is intended that an application for an order to be granted under Schedule 5 will be submitted shortly after the Section 36 Application is submitted.

## CAR Authorisation

- 4.2.9 Authorisation from SEPA is required under the Water Environment (Controlled Activities) (Scotland) Regulations 2011<sup>9</sup> ('the Controlled Activities Regulations' (CAR)) to control the impacts of activities which may have a significant effect on the water environment, such as water abstraction in a PSH Scheme<sup>10</sup>. An application for a CAR authorisation will be submitted shortly after the Section 36 Application is submitted.
- 4.2.10 Related to this, Section 36(5A) of the Electricity Act refers to the Scottish Ministers obtaining and having regard to the advice of SEPA on matters relating to the protection of the water environment prior to granting consent for a generating station with which a controlled activity, as defined by CAR, will be conducted.

## Reservoir Registration

- 4.2.11 Part 1 of the Reservoirs (Scotland) Act 2011<sup>11</sup> ('the Reservoirs Act') requires all reservoirs determined to be controlled reservoirs under sections 1 and 2 of the Reservoirs Act (such as one capable of holding 10,000 cubic metres or more) to be registered with SEPA in order for the risk of an uncontrolled release to be assessed. SEPA also have a number of powers through the Reservoirs Act, including enforcement. The Proposed Development will be registered under the Reservoirs Act prior to operation.
- 4.2.12 The Reservoirs Act additionally regulates the construction of reservoirs, with a system of inspections, reports and certificates being overseen by an appropriately qualified engineer from a panel approved by Scottish Ministers. On operation, there will also be supervision and periodic inspection.

<sup>8</sup> Scottish Parliament (2003) Water Environment and Water Services (Scotland) Act 2003 (Online) Available at: <https://www.legislation.gov.uk/asp/2003/3/contents>

<sup>9</sup> Scottish Parliament (2011) Water Environment (Controlled Activities) (Scotland) Regulations 2011 (Online) Available at: <https://www.legislation.gov.uk/ssi/2011/209/contents>

<sup>10</sup> Scottish Environment Protection Agency (2023) The CAR Practical Guide, Version 9.3. (Online) Available at: <https://www.sepa.org.uk/regulations/water/>. [Accessed: 22/10/24].

<sup>11</sup> Scottish Parliament (2011) Reservoirs (Scotland) Act 2011 (Online) Available at: <https://www.legislation.gov.uk/asp/2011/9/contents>

# 5 Need for the Proposed Development

## 5.1 Introduction

- 5.1.1 This section sets out the benefits of PSH and the need for the Proposed Development with reference to international, UK and Scottish policies and strategies.

## 5.2 Background

- 5.2.1 The United Kingdom's electricity network has traditionally relied on large fossil fuel power stations, many of which are being decommissioned as they reach the end of their operational life cycle and no longer meet the required environmental performance standards.
- 5.2.2 Through the provision of energy storage, PSH can play a crucial role in creating a sustainable electricity system. PSH operates by utilising two water reservoirs: the tailpond and the headpond. During periods of low electricity demand, when the cost of electricity is reduced, water is pumped from the tailpond to the headpond. Then, when demand is high and electricity is required, water is released from the headpond back to the tailpond. This water passes through turbines, generating electricity.
- 5.2.3 Although not a renewable energy technology itself, PSH complements renewable energy generation and mitigates issues related to variability in renewable energy sources<sup>12</sup>. As renewable energy generators such as wind turbines and solar arrays operate based on environmental conditions (e.g. wind speed or daylight), the timing of their electricity generation does not always align with periods of high network demand for electricity. PSH helps address this imbalance, contributing to a more flexible and resilient energy system.
- 5.2.4 The Proposed Development will contribute towards a flexible and resilient future energy network and power supply, which is a key Scottish Government goal. Upon operation, the Proposed Development will have a storage capacity of up to 34,000 megawatt hours (MWh) with up to 2,000 MW installed electrical generation capacity (subject to further investigation and feasibility works).

## 5.3 Benefits of Pumped Storage Hydro

### Energy Trilemma

- 5.3.1 The key challenges of energy sustainability are defined through the World Energy Council's Energy Trilemma Index<sup>13</sup> as Energy Equality, Environmental Stability, and Energy Security. In response, the key benefits of PSH are that it addresses each challenge of the Trilemma, as further detailed through **Image 2. Energy Trilemma and Key Benefits of PSH**.

<sup>12</sup> Scottish Renewables. (2023). *The Economic Impact of Pumped Storage Hydro*. Online. Available at: [https://www.scottishrenewables.com/assets/000/003/039/The\\_Economic\\_Impact\\_of\\_Pumped\\_Storage\\_Hydro\\_original.pdf?1683649197](https://www.scottishrenewables.com/assets/000/003/039/The_Economic_Impact_of_Pumped_Storage_Hydro_original.pdf?1683649197). [Accessed: 22/10/24].

<sup>13</sup> World Energy Council (2022) Energy Trilemma Index (Online) Available at: <https://www.worldenergy.org/publications/entry/world-energy-trilemma-index-2022>





## 5.4 International Policy Context

### Introduction

- 5.4.1 This section sets out the relevant international legislation and policy. It focuses on the Paris Agreement and policy associated with limiting the global average temperature to 1.5°C.

### The Paris Agreement 2015

- 5.4.2 The Paris Agreement<sup>14</sup>, established at the 21st Conference of the Parties (COP21) and ratified by the UK on 17 November 2016, is a key element of the international effort to reduce greenhouse gas (GHG) emissions to combat climate change. The agreement sets a goal of keeping the increase in global average temperature “*well below 2°C*” and aims to limit it to 1.5°C.

<sup>14</sup> United Nations Climate Change (2015). *The Paris Agreement*. (online). Available at: <https://unfccc.int/process-and-meetings/the-paris-agreement>.

- 5.4.3 The Paris Agreement follows a five-year cycle in which countries commit to progressively more ambitious climate actions. Since 2020, countries have been submitting their national climate action plans, known as Nationally Determined Contributions (NDCs). Each new NDC is designed to demonstrate a greater level of ambition than the one before.
- 5.4.4 The United Nations Environment Programme (UNEP) Emissions Gap Report series tracks global progress towards limiting warming to well below 2°C, with an aim of pursuing 1.5°C, as set out in the Paris Agreement. Since 2010, this annual, science-based report has assessed the gap between projected global GHG emissions – based on countries’ climate mitigation pledges – and the levels needed to avoid the most severe impacts of climate change.
- 5.4.5 The United Nations Emissions Gap Report 2024<sup>15</sup> states that:
- “Nations must deliver dramatically stronger ambition and action in the next round of Nationally Determined Contributions or the Paris Agreement’s 1.5°C goal will be gone within a few years... [this] calls for countries to set sector-specific global mitigation efforts, including the tripling of renewable energy capacity by 2030, doubling the global average annual rate of energy efficiency improvements by 2030, transitioning away from fossil fuels in energy systems, and conserving, protecting and restoring nature and ecosystems....”*
- 5.4.6 COP29 took place in Baku, Azerbaijan, from 11 – 22 November 2024. COP serves as a critical forum for global negotiations to address climate change, bringing together world leaders, policymakers, climate scientists, businesses, and civil society. COP29 aimed to accelerate collective actions to meet the goals of the Paris Agreement, including limiting global warming to 1.5°C, achieving net-zero emissions by 2050, and building climate resilience. Key priorities included finalising a new climate finance goal to help developing nations address climate impacts, enhancing NDCs, and fostering a transition to renewable energy and sustainable practices.
- 5.4.7 The IPCC (Intergovernmental Panel on Climate Change) is a United Nations body that assesses the science related to climate change, providing regular reports on the scientific basis, impacts, and future risks, as well as options for adaptation and mitigation. The IPCC recognises that without complementary flexible generation and operation, maintaining energy system reliability with increasing sources of renewable energy may become more challenging and costly. However, a varied complementary system, which includes energy storage technologies, such as PSH, is a solution to this.
- 5.4.8 The IPCC conducts regular assessments, the latest being the Sixth Assessment Report<sup>16</sup>, which includes reports on the physical science basis of climate change, impacts, adaptation, and vulnerability, and mitigation. This report highlights the capacity of PSH to reduce carbon emissions to help meet net zero goals. The report states that established technologies like PSH form one of the many technologies available to reduce emissions over the next decade.

<sup>15</sup> United Nations Environment Programme. (2024). *Emissions Gap Report 2024*. (online). Available at: <https://www.unep.org/resources/emissions-gap-report-2024>.

<sup>16</sup> The Intergovernmental Panel on Climate Change (IPCC) (2022) Sixth Assessment Report (Online) Available at: <https://www.ipcc.ch/assessment-report/ar6/>

## 5.5 UK Policy Context

### Introduction

- 5.5.1 The commitment to the development of renewable energy is evident through climate and energy policy in the UK. In May 2019, the UK Government declared a climate emergency, leading to the Climate Change Act 2008 (2050 Target Amendment) Order 2019<sup>17</sup> the following month amending the central GHG emissions reduction target to net zero emissions by 2050 for the UK.
- 5.5.2 Several policy documents establish the UK Government's pledges to reduce carbon emissions by promoting the use of renewable energy sources. These include the UK Renewable Energy Roadmap 2011 (updated 2012 and 2013)<sup>18</sup>, the Carbon Plan<sup>19</sup>, the UK Government's Ten Point Plan for a Green Industrial Revolution<sup>20</sup>, the Energy White Paper<sup>21</sup>, the Net Zero Strategy<sup>22</sup>, and the Energy Security Plan<sup>23</sup>.
- 5.5.3 The policies most relevant to the Proposed Development are discussed below.

### British Energy Security Strategy 2022

- 5.5.4 The UK Government published the British Energy Security Strategy<sup>24</sup> primarily in response to the rising global energy prices and following the Russian invasion of Ukraine. The key aim of the Strategy is to reduce the UK's dependence on imported oil and gas and to help decarbonise the energy sector, by achieving net zero by 2050.
- 5.5.5 The British Energy Security Strategy states that:

*"We will ensure a more flexible, efficient system for both generators and users: encouraging all forms of flexibility with sufficient large-scale, long-duration electricity storage to balance the overall system by developing appropriate policy to enable investment*

*"...the transition away from oil and gas... depends critically on how quickly we can roll out new renewables... the growing proportion of our electricity coming from renewables reduces our exposure to volatile fuel markets."*

*"...we need to be bolder in removing the red tape that holds back new clean energy developments and exploit the potential of all renewable technologies."*

### Clean Power 2030 Action Plan

- 5.5.6 The UK Government have recently published their 'Clean Power 2030 Action Plan: A New Era of Clean Electricity'<sup>25</sup> in December 2024. This Action Plan based on advice from the recently created National Energy System Operator (NESO) sets out steps to achieve clean power by 2030.
- 5.5.7 The Action Plan notes the importance of PSH in providing "dispatchable and long-duration flexible capacity in 2030 to support out power system in extended periods of low renewable output" (page 14) going on to state that "we...need to scale up deployment of pump storage hydropower" (page 15).

<sup>17</sup> UK Government. (2019). *The Climate Change Act 2008 (2050 Target Amendment) Order 2019*. (online). Available at: <https://www.legislation.gov.uk/ukdsi/2019/9780111187654>.

<sup>18</sup> UK Government (2013) *UK renewable energy roadmap: 2011* (Online) Available at: <https://www.gov.uk/government/publications/renewable-energy-roadmap>

<sup>19</sup> UK Government. (2011). *The Carbon Plan*. Online. Available at: <https://assets.publishing.service.gov.uk/media/5a795949e5274a2acd18c149/1358-the-carbon-plan.pdf>. [Accessed: 22/10/24].

<sup>20</sup> UK Government (2020) *The ten point plan for a green industrial revolution* (Online) Available at: <https://www.gov.uk/government/publications/the-ten-point-plan-for-a-green-industrial-revolution>

<sup>21</sup> UK Government (2020) *Energy white paper: Powering our net zero future* (Online) Available at: <https://www.gov.uk/government/publications/energy-white-paper-powering-our-net-zero-future>

<sup>22</sup> UK Government (2022) *Net Zero Strategy: Build Back Greener* (Online) Available at: <https://www.gov.uk/government/publications/net-zero-strategy>

<sup>23</sup> UK Government (2023) *Powering Up Britain: Energy Security Plan* (Online) Available at: <https://www.gov.uk/government/publications/powering-up-britain/powering-up-britain-energy-security-plan>

<sup>24</sup> UK Government. (2022) *British Energy Security Strategy*. (online). Available at: <https://www.gov.uk/government/publications/british-energy-security-strategy/british-energy-security-strategy>.

<sup>25</sup> UK Government (2025) *Clean Power 2030 Action Plan* (Online) Available at: <https://www.gov.uk/government/publications/clean-power-2030-action-plan>



- 5.5.8 The Action Plan goes on to estimate that *“between 40-50 GW of dispatchable and long-duration flexible capacity could be needed by 2030”* and identifies the importance of Ofgem’s *“cap and floor scheme to support investment in long-duration electricity storage”* (page 108/109).

## Draft Strategic Energy Plans

- 5.5.9 In addition to the Clean Power 2030 Action Plan, the UK Government have asked NESO to prepare a set of strategic energy plans to support the delivery of clean power by 2030 and the transition to a net zero economy by 2050. The draft methodology documents to support the delivery of the following strategic energy plans were published in December 2024:
- Strategic Spatial Energy Plan (SSEP): Spatial supply and demand modelling based on network needs. Focus on optimisation of technologies against cost, environment and community impact.
  - Centralised Strategic Network Plan (CSNP): A whole system plan for the development and assessment of high-level investment options for transmission networks.
  - Transitional Centralised Strategic Network Plan 2 (TCSNP2) Refresh Methodology: A refreshed version of NESO’s Beyond 2030 report published in March 2024 that recommended reinforcement projects for the onshore electricity network.
- 5.5.10 Energy storage (including PSH) has been identified within the SSEP (Draft Methodology) Report<sup>26</sup>, as a technology which will be considered as part of the SSEP and highlights that the *“use of storage technology will be essential for meeting the government’s decarbonisation ambitions”* (page 125).

## 5.6 Scottish Policy Context

### Introduction

- 5.6.1 Prior to the UK declaration, in April 2019 Scotland became one of the first nations in the world to declare a state of climate emergency, placing climate change at the heart of all policy decisions. Following this declaration, the Scottish Government amended the Climate Change (Scotland) Act 2009 with the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, setting a net-zero emissions target for 2045.
- 5.6.2 The Scottish Government has acknowledged the potential of Scotland’s extensive renewable energy resource, recognising it as an opportunity to make a significant contribution to addressing climate change and advancing expertise in cutting-edge low-carbon technologies on a global scale.

### Scottish Energy Strategy 2017

- 5.6.3 The Scottish Energy Strategy<sup>27</sup> outlines the Scottish Government’s strategy to transition to a low-carbon economy by 2050, marking a significant transition over the next three decades in energy management, demand reduction, and generation.
- 5.6.4 The Scottish Energy Strategy introduces a 2030 target to source the equivalent of 50% of Scotland’s heat, transport, and electricity consumption from renewable sources. It also aims to increase energy productivity across the Scottish economy by 30%.
- 5.6.5 The Scottish Energy Strategy acknowledges that large-scale electrification of heat and transport could significantly increase demand on the renewable electricity sector. Achieving the 2030 goal of meeting 50% of energy consumption from renewable sources reflects the government’s commitment to a low-carbon energy system and the ongoing growth of Scotland’s renewable energy sector.
- 5.6.6 The Scottish Energy Strategy also recognises that renewable and low-carbon energy will form the foundation of Scotland’s future energy system, presenting a substantial opportunity for economic and

<sup>26</sup> NESO (2024) SSEP Draft Methodology Consultation - December 2024 (Online) Available at: <https://www.neso.energy/document/349126/download>

<sup>27</sup> Scottish Government (2017) *The Scottish Energy Strategy*. (Online) Available at: <https://www.gov.scot/publications/scottish-energy-strategy-future-energy-scotland-9781788515276/>.

industrial growth. While all renewable technologies are vital, the Strategy highlights the importance of PSH, noting that:

*“...investment in new PSH capacity in Scotland could greatly enhance the flexibility and resilience of our electricity network and power supplies.”*

- 5.6.7 The Scottish Energy Strategy will be replaced by the Energy Strategy and Just Transition Plan once adopted.

## Climate Change Plan 2018 – 2032 (2020 update)

- 5.6.8 The Scottish Government published an update to the Climate Change Plan 2018-2032<sup>28</sup> in 2020 to align with the increased ambition of the new targets set in the Climate Emissions Reduction Targets (Scotland) Act 2019 and Scotland's commitment to the Paris Agreement.
- 5.6.9 The Climate Change Plan outlines a comprehensive strategy for reducing GHG emissions across all sectors. It acknowledges the need to continue reducing carbon emissions within the energy system while also addressing the significant challenges of ensuring a secure supply and a resilient electricity grid. It underscores the pivotal role of PSH in this effort, as PSH can release stored electricity during periods of high demand when it is most needed. PSH can reduce dependence on fossil fuels, both locally and through imports, and in turn support a reduction in demand for non-renewable, fossil fuel-based sources of energy generation.

## Draft Energy Strategy and Just Transition Plan 2023

- 5.6.10 The Draft Energy Strategy and Just Transition Plan<sup>29</sup> ('the Energy Strategy') sets out the Scottish Government's policies and commitments in relation to energy production and use. The Energy Strategy sets out how much renewable energy Scotland could generate from different sources, plans for improving home energy efficiency, and how to reduce overall consumption of energy in Scotland.
- 5.6.11 The Draft Energy Strategy is combined with a Just Transition Plan for the energy sector which sets out how Ministers will ensure that workers and communities whose livelihoods are bound up with the current energy system will not be left behind as the sector changes.
- 5.6.12 Investment in new PSH is seen as important to the security and flexibility of the Scottish network. The Draft Energy Strategy notes that:
- “...Scotland remains the UK's hydro capital, with over 88% of the total UK hydro capacity. PHS also continues to play a pivotal role in Scotland's energy system providing long-term storage and reserve for the electricity networks.”*
- 5.6.13 The Draft Energy Strategy and Just Transition Plan reinforces Scottish Government support for the principle of PSH identified in NPF4.

## Energy Storage Planning Advice Note 2013

- 5.6.14 The Energy Storage Planning Advice Note (PAN)<sup>30</sup> acknowledges PSH as a well-established storage technology and provides a strong endorsement for energy storage:
- “A clear case has been made that if the energy sector is to maximise environmental, economic and social benefits, renewable energy will need to be linked to energy storage. Energy storage technologies can counteract intermittency associated with certain energy supplies, can ensure excess power is not lost at times of high production, can provide energy on demand off-grid in a variety of ways. Oversupply is likely to become more prevalent the closer Scotland gets to realising its 100% electricity from renewables target. It is also expected that energy storage will be essential if Scotland*

<sup>28</sup> Scottish Government. (2020). *Security a green recovery on a path to net zero: climate change plan 2018- 2032- update*. (online) Available at: <https://www.gov.scot/publications/securing-green-recovery-path-net-zero-update-climate-change-plan-20182032/pages/2/>.

<sup>29</sup> Scottish Government. (2023). *Draft Energy Strategy and Just Transition Plan*. (Online) Available at: <https://www.gov.scot/publications/draft-energy-strategy-transition-plan/>.

<sup>30</sup> Scottish Government (2013) *Energy storage: planning advice* (Online) Available at: <https://www.gov.scot/publications/energy-storage-planning-advice/>

*is to realise its ambition to become a renewable energy exporter and to attract the economic advantages of ensuring that the energy storage supply chain locates in Scotland.”*

## Hydro Schemes Planning Advice Note 2013

- 5.6.15 The Hydro Schemes PAN<sup>31</sup> aims to facilitate the growth of PSH as a key component of Scotland’s renewable energy strategy, ensuring that projects are developed in a manner that aligns with national sustainability goals and local community interests. The PAN describes hydro power as:

*“A well-established sector, with proven technologies tapping into one of Scotland’s most abundant natural resources, hydro power performs a vital role in renewable electricity production, balancing supply and demand and providing grid back-up.”*

## Summary

- 5.6.16 The Proposed Development will support the expansion of the renewable energy sector and contribute to Scotland’s transition from a low-carbon to a zero-carbon energy supply. The Proposed Development is therefore considered to align with and support International, UK and Scotland energy policies, strategies, and advice notes.
- 5.6.17 **Chapter 17: ‘Climate’ (Volume 2: Main Report)** provides an assessment of the impact of the Proposed Development on the climate. This assessment further considers the alignment of the Proposed Development with International, UK and Scottish strategies and policies to achieve Net Zero.

---

<sup>31</sup> Scottish Government. (2013). *Hydro Schemes Planning Advice Note*. Online. Available at: <https://www.gov.scot/publications/hydro-schemes-planning-advice/>. [Accessed: 22/10/24].

# 6 Planning Policy Context

## 6.1 Introduction

- 6.1.1 The Planning Act stipulates that the statutory Development Plan comprises the National Planning Framework and the Local Development Plan (LDP) for the area. Therefore, the Development Plan relevant to the area where the Proposed Development is located comprises:
- The Fourth National Planning Framework (NPF4)<sup>32</sup>;
  - The Highland-wide Local Development Plan 2012 (HwLDP)<sup>33</sup>;
  - The Inner Moray Firth Local Development Plan 2024 (IMFLDP)<sup>34</sup>; and
  - Supplementary planning guidance.
- 6.1.2 Although primacy is not given to the statutory Development Plan in determining Section 36 applications, it is a relevant consideration for Scottish Ministers (as set out in Section 4.1) in their decision-making. The Proposed Development has therefore been assessed against the policies of the Development Plan, informed by the assessments within the EIAR. This approach ensures that due regard has also been given to the categories set out in paragraph 3 of Schedule 9 to the Electricity Act, 'Preservation of amenity and fisheries: Scotland'.
- 6.1.3 Due to the regulatory consenting process for Section 36 applications, the Planning Act is not fully engaged beyond section 57(2) and therefore primacy is not given to the Development Plan (as otherwise would be the case under section 25). Nevertheless, the Development Plan is a relevant consideration for Scottish Ministers, who are required to take the response from the local planning authority into account when determining Section 36 applications.
- 6.1.4 Scottish Ministers may attribute weight to relevant national and local policy documents, as outlined in this Planning Statement. As the upper tier of the statutory Development Plan, NPF4, adopted in 2023, should be given significant weight in the decision-making process. The IMFLDP was adopted in 2024; however, it contains limited policies of direct relevance to the Proposed Development. The policies that have been assessed are consistent with the NPF4.
- 6.1.5 The HwLDP, adopted in 2012, should be given the least weight among the relevant Development Plan documents, due to its age and the adoption of more recent policy. Section 24 of the Planning Act provides that in the event of any incompatibility between a provision of the National Planning Framework and a provision of a local development plan, whichever of them is the later in date prevails. Similarly, the associated Supplementary Planning Guidance, adopted in 2013, should be given less weight.

## 6.2 National Planning Framework 4 (2023)

- 6.2.1 NPF4 was adopted by the Scottish Ministers in February 2023 and forms the upper tier of the statutory Development Plan. NPF4 sets out how the Scottish Government's approach to planning and development will help to achieve a net zero, sustainable Scotland by 2045.
- 6.2.2 NPF4 is centred around two primary themes: addressing the climate emergency and tackling the nature crises. As emphasised in the Ministerial Foreword, prioritising the global climate and nature crises will ensure that the decisions made today align with the long-term interests of Scotland.
- 6.2.3 Addressing climate issues and the wellbeing economy at a national scale, NPF4 supports the delivery of 'Sustainable Places', 'Liveable Places' and 'Productive Places' through six overarching spatial principles:

<sup>32</sup> Scottish Government (2024) National Planning Framework 4 (Online). Available at: <https://www.gov.scot/publications/national-planning-framework-4/>

<sup>33</sup> The Highland Council. (2024). *Inner Moray Firth Local Development Plan 2*. (online) Available at: [https://www.highland.gov.uk/info/178/development\\_plans/202/inner\\_moray\\_firth\\_local\\_development\\_plan](https://www.highland.gov.uk/info/178/development_plans/202/inner_moray_firth_local_development_plan).

<sup>34</sup> The Highland Council. (2024). *Inner Moray Firth Local Development Plan 2*. (online) Available at: [https://www.highland.gov.uk/info/178/development\\_plans/202/inner\\_moray\\_firth\\_local\\_development\\_plan](https://www.highland.gov.uk/info/178/development_plans/202/inner_moray_firth_local_development_plan).

- Just transition;
- Conserving and recycling assets;
- Local living;
- Compact urban growth;
- Rebalanced development; and,
- Rural revitalisation.

6.2.4 Eighteen national developments are identified within NPF4 which are considered significant developments of national importance that will help to deliver the spatial strategy set out above. Pumped storage hydro, to be delivered on a Scotland-wide basis, is identified as one of six national developments to support the delivery of 'Sustainable Places', by extending *"hydro-electricity capacity to support the transition away from fossil fuels, whilst also providing employment opportunities in rural areas"*. Annex A of NPF4 further explains that pumped storage hydro (as a national development) is a significant development of national importance, and that its designation means *"that the principle of the development does not need to be agreed in later consenting processes"*.

6.2.5 The clear policy support offered by virtue of NPF4 identifying pumped-storage hydro as a national development means that there is, in effect, a presumption in favour of the principle of the Proposed Development. The assessment criteria when considering the Section 36 Application should therefore focus on the detail of the Proposed Development. The starting point is that the principle of PSH is acceptable.

6.2.6 Of further relevance to the Proposed Development is National Development 3 'Strategic Renewable Generation and Transmission infrastructure' which:

*"...supports electricity generation and associated grid infrastructure throughout Scotland, providing employment and opportunities for community benefit, helping to reduce emissions and improve security of supply."*

6.2.7 Annex B of NPF4 sets out the National Development Statements of Need. For this category of National Development, it states that any on-shore electricity generation from renewables exceeding 50 MW capacity shall be designated as a National Development. The Proposed Development therefore would also be considered a National Development on this basis as well. Therefore, the Proposed Development has significant policy support which confirms that the principle of a PSH development is established.

6.2.8 Other relevant NPF4 policies include:

- 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 22: Flood Risk and Water Management
- Policy 23: Health and Safety
- Policy 25: Community Wealth Building

6.2.9 A brief description of these policies is contained within Appendix A.1 of this Planning Statement. An assessment of the Proposed Development against these policies is set out in Section 7.

## 6.3 Highland-wide Local Development Plan (2012)

6.3.1 The HwLDP was adopted in April 2012. It sets out the overarching vision statement, spatial strategy, and general planning policies for the whole of the Highland Council area, except the area covered by the Cairngorms National Park Local Plan.

6.3.2 Policies relevant to the Proposed Development within the HwLDP include:

- Policy 28 Sustainable Design;
- Policy 29 Design Quality and Place-Making;
- Policy 30 Physical Constraints;
- Policy 51 Trees and Development;
- Policy 52 Principle of Development in Woodland;
- Policy 55 Peat and Soils;
- 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 62 Geodiversity;
- Policy 63 Water Environment;
- Policy 64 Flood Risk;
- Policy 66 Surface Water Drainage;
- Policy 67: Renewable Energy Developments;
- Policy 72 Pollution;
- Policy 74 Green Networks;
- Policy 77 Public Access; and,
- Policy 78 Long Distance Routes.

6.3.3 The Highland Council is in the early stages of preparing a new Local Development Plan, with evidence gathering underway and set to continue until May 2025. The Evidence Report is scheduled to be submitted to Scottish Government in autumn 2025 with the publication of the proposed plan in early 2026.

6.3.4 As the new LDP has not yet reached the stage where it can be afforded material weight in the assessment of the Proposed Development, this assessment is based on the policies and provisions of the existing HwLDP.

## 6.4 Inner Moray Firth Local Development Plan (2024)

6.4.1 The Inner Moray Firth Local Development Plan 2 (IMFLDP2) 2024, sets out Highland Council's vision for how the IMFLDP2 area should develop over the next 10 years and beyond. The IMFLDP2 combined with the HwLDP and Supplementary Guidance are utilised to determine planning applications in the Inner Moray Firth area.

6.4.2 The two overarching aims of the Plan are to tackle the climate and ecological emergency and enable post-pandemic economic recovery.

6.4.3 Policies in the IMFLDP2 which are relevant to the Proposed Development include:

- Placemaking Priorities 12— Drumnadrochit;

- Policy 2 – Nature Protection, Preservation and Enhancement; and,
- Policy 3 – Water and Wastewater Infrastructure Impacts.

## 6.5 Highland Council Supplementary Planning Guidance

6.5.1 The Highland Council has published a range of statutory and non-statutory guidance, including the Highland Renewable Energy Strategy and Planning Guidelines. The following Supplementary Guidance forms part of the Development Plan<sup>35</sup> and is most relevant to the Proposed Development includes:

- Sustainable Design Guide<sup>36</sup>;
- Physical Constraints Supplementary Guidance<sup>37</sup>;
- Tree, Woodland and Development<sup>38</sup>;
- Historic Environment Strategy<sup>39</sup>;
- Statutorily Protected Species<sup>40</sup>;
- Flood Risk and Drainage Impact Assessment<sup>41</sup>; and
- Biodiversity Enhancement Planning Guidance<sup>42</sup>.

## 6.6 Local Place Plans

6.6.1 A Local Place Plan (LPP) is a community-led plan, introduced by the Planning Scotland Act 2019, that outlines proposals for the development and use of land within a local area. While LPPs generally carry less weight than the statutory development plans these plans allow communities to express their aspirations and ambitions for future changes in their locality.

6.6.2 LPPs do not form part of the statutory Development Plan; however, they will inform the proposed Highland Wide LPP due in early 2026 and are therefore a relevant consideration to the assessment of the Proposed Development.

6.6.3 The Proposed Development is situated in two community council areas, these are:

- Glen Urquhart and Fort Augustus Community Council; and
- Glenmoriston Community Council.

6.6.4 The Stratherrick and Foyers Community Council is located on the eastern shore of Loch Ness, opposite the Lower Control Works.

6.6.5 The relevant LPPs are:

- The draft Glen Urquhart Community Council LPP 2024 - 2034<sup>43</sup>

<sup>35</sup> The Planning (Scotland) Act 2019 removes that ability to prepare supplementary guidance; however, transitional arrangements allow supplementary guidance to continue to be prepared and adopted until 31 March 2025

<sup>36</sup> Highland Council. (2013). *Sustainable Design Guide Supplementary Guidance*. (online). Available at: [https://www.highland.gov.uk/downloads/file/3019/highland\\_council\\_sustainable\\_design\\_guide](https://www.highland.gov.uk/downloads/file/3019/highland_council_sustainable_design_guide).

<sup>37</sup> Highland Council. (2013). *Physical Constraints Supplementary Guidance*. (online). Available at: [https://www.highland.gov.uk/downloads/file/2899/physical\\_constraints\\_supplementary\\_guidance](https://www.highland.gov.uk/downloads/file/2899/physical_constraints_supplementary_guidance).

<sup>38</sup> Highland Council. (2013). *Trees, Woodlands & Development Supplementary Guidance*. (online). Available at: [https://www.highland.gov.uk/downloads/file/354/trees\\_woodlands\\_and\\_development\\_supplementary\\_guidance](https://www.highland.gov.uk/downloads/file/354/trees_woodlands_and_development_supplementary_guidance).

<sup>39</sup> Highland Council. (2013). *Historic Environment Strategy*. (online). Available at: [https://www.highland.gov.uk/downloads/file/11047/highland\\_historic\\_environment\\_strategy](https://www.highland.gov.uk/downloads/file/11047/highland_historic_environment_strategy).

<sup>40</sup> Highland Council. (2013). *Statutorily Protected Species Supplementary Guidance*. (online). Available at: [https://www.highland.gov.uk/downloads/file/3026/highland\\_statutorily\\_protected\\_species\\_supplementary\\_guidance](https://www.highland.gov.uk/downloads/file/3026/highland_statutorily_protected_species_supplementary_guidance).

<sup>41</sup> Highland Council (2013). *Flood Risk and Drainage Impact Assessment*. (online). Available at: [https://www.highland.gov.uk/downloads/file/2954/flood\\_risk\\_and\\_drainage\\_impact\\_assessment\\_supplementary\\_guidance](https://www.highland.gov.uk/downloads/file/2954/flood_risk_and_drainage_impact_assessment_supplementary_guidance).

<sup>42</sup> Highland Council (2024) *Biodiversity Enhancement Planning Guidance* (online). Available at: [https://www.highland.gov.uk/downloads/file/28840/biodiversity\\_enhancement\\_planning\\_guidance](https://www.highland.gov.uk/downloads/file/28840/biodiversity_enhancement_planning_guidance)

<sup>43</sup> Glen Urquhart Community Council (2024) *draft Glen Urquhart Community Council LPP 2024 – 2034* (Online) Available at: <http://glenurquhartcommunitycouncil.org.uk/GUCC%20LPP%20DRAFT2%201ST%20AUGUST.pdf>



- The draft Fort Augustus and Glenmoriston LPP<sup>44</sup>
- The Stratherrick and Foyers LPP<sup>45</sup>

---

<sup>44</sup> Fort Augustus and Glenmoriston Community Council (2024) draft Fort Augustus and Glenmoriston LPP (Online) Available at: <https://www.ourfutureplan.net/draft-plan>

<sup>45</sup> Stratherrick and Foyers Community Council (2023) Stratherrick and Foyers LPP (Online) Available at: [https://www.highland.gov.uk/downloads/file/27645/stratherrick\\_and\\_foyers\\_local\\_place\\_plan\\_2023a\\_validated\\_15\\_september\\_2023](https://www.highland.gov.uk/downloads/file/27645/stratherrick_and_foyers_local_place_plan_2023a_validated_15_september_2023)



# 7 Planning Assessment

## 7.1 National Planning Framework (NPF4)

### Introduction

- 7.1.1 This section provides a detailed assessment of the Proposed Development against the most relevant NPF4 policies.

### Principle of Development

- 7.1.2 The Proposed Development is categorised as one of the eighteen National Developments identified in NPF4, as discussed in Section 6 of this Planning Statement. These developments are prioritised due to their role in transitioning from fossil fuels towards a net zero economy and supporting the strategy and spatial principles of NPF4.
- 7.1.3 Annex A of the NPF4 explains how NPF4 should be used and clearly states that *“the principle of development does not need to be agreed in later consenting processes”*. This means that the principle of the Proposed Development is established which, in turn, means that the assessment should be focussed on detailed matters. NPF4, as the upper tier of the development plan, therefore, offers strong support for the delivery of PSH throughout Scotland and the delivery of this PSH at the Proposed Development Site.

### Policy 1: Climate and Nature Crises

- 7.1.4 NPF4 Policy 1, is an overarching policy applying to all development, emphasising that ‘significant weight will be given to the global climate and nature crises’. The Policy intent is to ‘encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change’. The Policy Outcomes being ‘Emissions from development are minimised’ and ‘Our places are more resilient to climate change’. Given the wording of the policy and that it attaches “significant weight” to proposals that address the climate and nature crises, it should be noted the significant weight given by the policy to the Proposed Development.
- 7.1.5 With an estimated storage capacity of 34,000 MWh, the Proposed Development will play a significant role in reducing carbon emissions by optimising electricity generation from renewables through storing and releasing electricity when required. The Green House Gas Assessment (**Chapter 17: ‘Climate’ (Volume 2: Main Report)**) concludes that the Proposed Development supports the Scottish Government’s ambition to decarbonise electricity generation, consistent with Scotland’s Net Zero Target.
- 7.1.6 As explained above, NPF4 Policy 1 gives significant weight to the global climate emergency in all decisions, providing clear guidance to decision-makers. This can be seen in the decision on Earba Pumped Storage Hydro Scheme which states:
- “Scottish Ministers consider the proposed Development will... will contribute to sustainable development, providing for greater and more efficient use of renewable energy generation in the electricity system, and in this regard, it will contribute to greenhouse gas emissions reduction targets. A project of this scale delivers a very significant national benefit in terms of energy weighing heavily in favour of consent”.*
- 7.1.7 And, in the Sanquhar II Wind Farm decision, which concludes:
- “In overall terms, I find NPF4 provides little room for ambiguity over its strong focus on the need to proactively respond to the global climate emergency, both in terms of reducing greenhouse gas emissions and adapting to climate change.*
- The terms of NPF4, Policy 1 ‘Tackling the climate and nature crises’ leaves me in no doubt that in this case, where the proposal is already recognised as being capable of providing strategic-scale renewable energy generation by virtue of its national development status, its contribution to the net zero aim must be given significant weight without qualification.”*

- 7.1.8 Overall, the Proposed Development is consistent with NPF4 Policy 1 given the scale of the Proposed Development and the meaningful contribution it will make in tackling the climate crisis. Significant weight should be attached to these benefits, which supports the approval of the Proposed Development.

## Policy 2: Climate Mitigation and Adaptation

- 7.1.9 The intent of NPF4 Policy 2 is to 'encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change'. The policy outcomes are 'Emissions from development are minimised' and 'Our places are more resilient to climate change impacts'.
- 7.1.10 Policy 2(a) states that 'Development proposals will be sited and designed to minimise lifecycle GHG emissions as far as possible' and Policy 2(b) states that 'Development proposals will be sited and designed to adapt to current and future risks from climate change'.
- 7.1.11 **Chapter 17: 'Climate' (Volume 2: Main Report)**, outlines that emissions will total 883,456tCO<sub>2</sub>e of GHG during pre-construction and 126,208 tCO<sub>2</sub>e of GHG during construction, however, this level of emission is not considered to be significant, when set against the over tCO<sub>2</sub>e saved as a result of the Proposed Development.
- 7.1.12 Furthermore, due to the large scale of the Proposed Development it will have a significant role in directly supporting the Scottish Government's ambition to decarbonise electricity generation in line with Scotland's 2045 net-zero target. Therefore, it is considered to be consistent with achieving Scotland's overall trajectory to Net Zero.
- 7.1.13 Given the above, the Proposed Development secures strong support from Policy 2.

## Policy 3: Biodiversity

- 7.1.14 The Policy Intent of NPF4 Policy 3 is 'to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks'. The Policy Outcome is that 'Biodiversity is enhanced and better connected including through strengthened nature networks and nature-based solutions'.
- 7.1.15 Policy 3(a) states that 'Development will contribute to the enhancement of biodiversity, including, where relevant, restoring degraded habitats and building and strengthening nature networks and their connections. Proposals should also integrate nature-based solutions where possible'.
- 7.1.16 As detailed in Section 2.2 above, the Proposed Development has identified significant areas for biodiversity enhancement, detailed in the **oLEMP (Appendix 6.4, Volume 5: Appendices)**. The oLEMP outlines objectives that include nature-based solutions such as reinstatement of temporarily lost habitats, management of newly created replacement habitats and new native woodland planting. In addition, an **outline Peatland Restoration Plan (Appendix 7.6, Volume 5: Appendices)** identifies areas for peatland restoration and enhancement.
- 7.1.17 These enhancement measures would achieve 12% net gain for area-based habitats and 10% net gain for watercourses, as detailed in **Appendix 7.5 Biodiversity Net Gain (Volume 5: Appendices)**.
- 7.1.18 Policy 3(b) states that national development 'will only be supported where it will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention'. **Table 7-1 NPF4 Policy 3 (b) Criteria** sets out in detail how the Proposed Development enhances biodiversity and addresses the criteria set out in Policy 3(b):

**Table 7-1 NPF4 Policy 3 (b) Criteria**

<b>Policy 3 (b) Criteria</b>	<b>Commentary</b>
(b)(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.	The design of the Proposed Development is based on a thorough understanding of the Proposed Development Site and its ecological context, gathered through desk-based assessments, fieldwork, and consultations. <b>Chapter 3: 'Evolution of Design and Alternatives'</b> outlines the key design principles implemented by the Applicant and the alternative designs that were considered. Chapter 3 demonstrates how extensive surveys have informed the Proposed Development while adhering to PSH-specific requirements. This approach aligns with the policy requirements of criteria (b)(i).
(b)(ii) Wherever feasible, nature-based solutions have been integrated and made best use of.	The Proposed Development has identified significant areas for enhancement, detailed in the <b>oLEMP (Appendix 6.4, Volume 5: Appendices)</b> . The oLEMP outlines objectives that include nature-based solutions such as reinstatement of temporarily lost habitats, management of newly created replacement habitats and new native woodland planting.
(b)(iii) An assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements.	<p>The design of the Proposed Development has followed the mitigation hierarchy (as defined in NPF4, page 153) to avoid features of biodiversity importance wherever possible.</p> <p><b>Chapter 7: Terrestrial Ecology, Chapter 8: Ornithology and Chapter 9: Aquatic Ecology (Volume 2: Main Report)</b> consider the impacts of the Proposed Development on biodiversity.</p> <p>Where adverse effects have been identified, mitigation measures have been proposed to reduce residual effects to non-significant in most cases.</p> <p>For any remaining significant residual effects, the Applicant proposes compensatory measures to offset these effects and enhancement measures to provide additional benefits for biodiversity beyond those provided by mitigation or compensation. Following the introduction of mitigation and compensation measures the only remaining significant adverse effect is on the disturbance of Golden Eagle during construction. Although significant, this effect is temporary in nature.</p> <p>Monitoring of identified potentially affected golden eagle nest sites will be undertaken during Construction to corroborate the predicted effects.</p>
(b)(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.	<p>There is no standard agreed national metric for considering schemes against NPF4 Policy 3b. The draft planning guidance published by the Scottish Government on 30 November 2023 states that in the absence of a universally adopted Scottish methodology/tool 'a flexible approach will be required'.</p> <p>In the absence of a formal requirement for Biodiversity Net Gain (BNG) assessment in Scotland, the Scottish and Southern Energy Renewables (SSER) Biodiversity Toolkit (hereafter the 'SSER Toolkit') has been utilised to provide a metric for BNG assessment for the Proposed Development. The SSER Toolkit has been utilised on projects across Scotland and is considered more effective in a Scottish context, with allowance for greater use of professional judgement to better cater for extensive upland environments in Scotland.</p> <p>The <b>oLEMP (Appendix 6.4, Volume 5)</b> outlines measures to conserve, restore, and enhance biodiversity, including nature networks. These measures not only mitigate the effects of the Proposed Development but also aim to provide biodiversity enhancements.</p> <p>The final LEMP will be developed in consultation with relevant stakeholders' post-consent and prior to the commencement of the Proposed Development.</p>
(b)(v) Local community benefits of the biodiversity and/or nature networks have been considered.	<p>The Applicant's enhancement measures focus on securing biodiversity and nature conservation benefits and are detailed in the <b>oLEMP (Appendix 6.4, Volume 5)</b>. The measures include:</p> <ul style="list-style-type: none"> <li>• Enhancement of ancient semi-natural birchwood;</li> <li>• Provision of a deer-protected buffer for ancient semi-natural woodland regeneration;</li> <li>• Planting of 700 hectares of native woodland and montane scrub;</li> <li>• Reduction in deer density on retained open moorland;</li> <li>• Provision of three ponds suitable for emerald dragonflies; and,</li> </ul>

- Provision of suitable habitat for water voles to be translocated to from the Headpond.

An outline Access Management Plan (**Appendix 16.1, Volume 5**) has been prepared to support the application, outlining a strategy for maintaining public access routes during the construction and operational phases, and enhancing public outdoor access in the long term. This will provide opportunities for the community to experience biodiversity and nature networks directly.

---

- 7.1.19 Policy 3(d) requires ‘any potential adverse impacts on biodiversity, nature networks and the natural environment to be minimised through careful planning and design’. It also states that it ‘will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration’.
- 7.1.20 In response to policies 3(a), 3(b) and 3(d), it is noted that **the Terrestrial Ecology, Ornithology and Aquatic Ecology assessments, Chapters 7, 8 and 9 (Volume 2: Main Report)**, identified only a limited number of significant adverse effects. The limited number of significant effects reflects the consideration that been given to avoiding ecological constraints, minimising impacts on biodiversity, nature networks and the natural environment in the design development process and the range of mitigation measures that are proposed.
- 7.1.21 Significant adverse effects on biodiversity post-mitigation are as follows:
- Permanent loss of montane scrub (loss of 44% of known dwarf birch locations in the survey area, plus a minority of the small amount of recorded whortle-leaved willow)
  - Permanent loss of blanket bog (81.1 hectares lost and 33.9 hectares modified)
  - Permanent loss of ancient woodland (1.27 hectares lost at the Lower Control Works)
  - Disturbance impacts on Golden eagle during construction
- 7.1.22 While significant adverse effects were identified in relation to montane scrub, ancient woodland and blanket bog pre-compensation, with compensation there are no significant adverse effects. The compensation measures are outlined below:
- The loss of montane scrub and ancient woodland during construction would be compensated during through the planting of 700 hectares of native woodland and montane scrub, including:
    - extensive Upland Birchwood supplemented by native Scots pine woodland (approximately 547 hectares);
    - riparian woodland along watercourses (approximately 24 hectares);
    - montane dwarf birch planting and regeneration zones, supplemented with juniper and Scots pine (approximately 76 hectares); and,
    - montane willow scrub planting and regeneration zone (approximately 27 hectares).
  - The loss of blanket bog would be compensated through (mainly off-site) blanket bog restoration in accordance with NatureScot’s loss/compensation area ratio of 1:10, plus an additional 10% as enhancement. Approximately 100 hectares of potential peatland restoration areas across 62 sites within the Balmacaan Estate within which the Proposed Development Site is located have been identified within the **oPMP (Appendix 7.6, Volume 5: Appendices)**.
- 7.1.23 A precautionary approach has been adopted in relation to Golden Eagle habitats and these effects may be less than anticipated. The associated displacement effects are temporary.
- 7.1.24 Ecological mitigation and compensation measures, together with enhancement measures, will be fully detailed in a LEMP. These measures, which include nature-based solutions, have been embedded into the scheme and will collectively ‘protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks’.
- 7.1.25 The Proposed Development therefore complies with NPF4 Policy 3.

## Policy 4: Natural Places

- 7.1.26 The Policy Intent of NPF4 Policy 4 is ‘to protect, restore and enhance natural assets making best use of nature-based solutions’. The policy outcomes include ‘Natural places are protected and restored’ and ‘Natural assets are managed in a sustainable way that maintains and grows their essential benefits and services’.
- 7.1.27 NPF4 Policy 4 (a) states that developments which would have an unacceptable impact on the natural environment would not be supported.
- 7.1.28 Within the EIAR there are a limited number of residual significant effects resulting from the Proposed Development. These relate to ornithology, landscape and visual effects, the water environment, climate and forestry. However, given the nature of these effects, and the proposed mitigation, compensation and enhancement measures, as well as the fact that the Proposed Development meets the wider policy requirements, these effects are not considered to give rise to any policy non-compliance issues.
- 7.1.29 NPF4 Policy 4 (b) states that development proposals which are likely to have a significant effect on an existing or proposed European site are required to be subject to an ‘appropriate assessment’ of the implications for the conservation objectives.
- 7.1.30 **Chapter 7: ‘Terrestrial Ecology’ (Volume 2: Main Report)** sets out the impacts on Urquhart Bay Woods, Ness Woods and Loch Ruthven SACs. The assessment concludes that impacts on qualifying features of the Urquhart Bay Woods, Ness Woods and Loch Ruthven SACs during pre-construction, construction and operation would result in a negligible adverse effect.
- 7.1.31 The River Moriston SAC is designated for Freshwater Pearl Mussel and Atlantic Salmon. As detailed in **Chapter 9: ‘Aquatic Ecology’ (Volume 2: Main Report)** there would be no impact on Freshwater Pearl Mussels; however, the Proposed Development would have a major adverse effect on Atlantic Salmon prior to the introduction of mitigation measures.
- 7.1.32 Impacts to Atlantic Salmon within Loch Ness may reduce the availability of individuals within the Moray Firth SAC to serve as prey items for marine mammals such as bottlenose dolphin and harbour seal resulting in a minor adverse effect on the SAC.
- 7.1.33 The potential effects of the Proposed Development on Atlantic Salmon and other migratory fish species in Loch Ness, at Dochfour Weir and in the River Ness downstream, and at the intake screen of the Lower Control Works would be mitigated. **Chapter 9: ‘Aquatic Ecology’ (Volume 2: Main Report)** outlines a suite of mitigation measures, including measures to deter Atlantic Salmon smolts from the intake screen, installation of improved fish passage at Dochfour Weir, a non-physical deterrent to prevent smolts being lost down the Caledonian Canal, and the installation of a seasonally variable weir on Dochfour Weir to control water levels in Loch Ness and maintain flows in the River Ness downstream (including to mitigate for the cumulative effects of all existing, consented, and proposed pumped storage hydro schemes on Loch Ness).
- 7.1.34 An Atlantic Salmon smolt tracking study is underway in spring/summer 2025 to establish the migratory routes taken by smolts through Loch Ness and current constraints to successful migration at Dochfour Weir and the Caledonian Canal. The results of this study will be used to evaluate and finalise the suite of proposed mitigation.
- 7.1.35 Following the introduction of mitigation, the effect on the River Moriston and Moray Firth SACs would be not significant.
- 7.1.36 The **Statement to Inform Habitat Regulations Assessment (Appendix 7.2, Volume 5: Appendices)** provides additional information on the impacts on all of the European designated sites. It finds that, taking account of the mitigation proposed, that the pre-construction, construction and operation of the Proposed Development will not result in adverse effects on the integrity of any European site, either alone or in-combination with other projects or plans.
- 7.1.37 NPF4 Policy 4 (c) states “that development proposals which would have an impact on National Park, National Scenic Area, SSSI or a National Nature Reserve would only be supported where the objectives of designation and the overall integrity of the areas will not be compromised; or any

significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance”.

- 7.1.38 As detailed in **Chapter 7: ‘Terrestrial Ecology’ (Volume 2: Main Report)** the Proposed Development would have a negligible adverse effect on Easter Ness Forest, Inverfarigaig and Urquhart Bay Wood SSSIs during pre-construction, construction and operation. No impacts on National Scenic Areas or National Nature Reserves have been identified.
- 7.1.39 NPF4 Policy 4 (d) states that development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP would only be supported where:
- Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or
  - Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.
- 7.1.40 The Highland Council have designated Special Landscape Areas (SLA)<sup>46</sup> covering landscapes considered to be of regional importance. As detailed in **Chapter 6: ‘Landscape and Visual Effects’ (Volume 2: Main Report)**, during construction, significant landscape effects are predicted for the Loch Ness and Loch Duntelchaig SLA within which the Proposed Development is located. However, these impacts would be temporary during the construction period. In addition, the Proposed Development would provide a significant scale of the Proposed Development contribution to tackling the climate crisis.
- 7.1.41 NPF4 Policy 4 (e) states that the precautionary principle will be applied in accordance with relevant legislation and Scottish Government guidance.
- 7.1.42 Where limited information was available to inform the ecological assessments, the Precautionary Principle<sup>47</sup> has been adopted in the EIAR.
- 7.1.43 NPF4 Policy 4 (f) states that development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests.
- 7.1.44 As detailed in **Chapter 7: ‘Terrestrial Ecology’ (Volume 2: Main Report)**, there would be adverse effects, without compensation, during pre-construction and construction on the following species protected by European or UK legislation: Otter; Water Vole; Pine Marten; and Terrestrial Invertebrates. These impacts would be mitigated through the creation of new habitats or enhancement of the existing habitats for the impacted species as detailed in paragraph 7.1.22 above.
- 7.1.45 As detailed in **Chapter 8: ‘Ornithology’ (Volume 2: Main Report)**, there would be pre-mitigation adverse effects on the following protected bird species, during pre-construction, construction and operation: Slavonian Grebe, Red-throated Diver, Golden Eagle, Black Grouse and Dunlin.
- 7.1.46 Following the implementation of impact avoidance and mitigation the only remaining residual significant effects comprise of a temporary adverse effect on Golden Eagle due to disturbance and displacement of foraging birds during the construction phase. Effects on Slavonian Grebe, Red-throated Diver, Golden Eagle, Black Grouse and Dunlin post-mitigation are not significant.
- 7.1.47 Monitoring of identified potentially affected Red-throated Diver breeding rafts and golden eagle nest sites will be undertaken during Construction to corroborate the predicted effects.
- 7.1.48 As detailed in **Chapter 9: ‘Aquatic Ecology’ (Volume 2: Main Report)**, the Proposed Development would result in adverse effects on Atlantic Salmon, designated as a European protected species, and Brown trout, designated as a UK priority species, during pre-construction, construction and operation. These impacts would be mitigated through measures detailed at 7.1.32 and 7.1.33.

<sup>46</sup> The Highland Council (2011). *Assessment of Highland Special Landscape Areas*. Available at: [https://www.highland.gov.uk/download/downloads/id/2937/assessment\\_of\\_highland\\_special\\_landscape\\_areas.pdf](https://www.highland.gov.uk/download/downloads/id/2937/assessment_of_highland_special_landscape_areas.pdf) (Accessed: 22 January 2025).

<sup>47</sup> UNESCO (2005). *The Precautionary Principle*. United Nations Educational, Scientific and Cultural Organisation, Paris. Available from: <https://unesdoc.unesco.org/ark:/48223/pf0000139578>.



- 7.1.49 While the Proposed Development would result in significant adverse effects on Golden Eagle during construction, these would be temporary in nature. All other significant adverse effects on designated sites and species would be reduced through mitigation or compensation. Therefore, it is considered that the Proposed Development would comply with NPF4 Policy 4.

## Policy 5: Soils

- 7.1.50 The Policy Intent of NPF4 Policy 5 is 'to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development'. The policy outcomes include 'Valued soils are protected and restored'.
- 7.1.51 NPF4 Policy 5 (a) states that 'proposals will only be supported if they are designed and constructed: 'i) in accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land'.
- 7.1.52 The Proposed Development will consist of both above and below ground infrastructure, and as such the impact on geology and soils has been an important consideration of the design and embedded mitigation. The Proposed Development has therefore been designed and sited to avoid important geological, and soil features as far as possible. The Proposed Development utilises as much of the material excavated for the below ground infrastructure in the construction of the above ground infrastructure, such as the Embankments for the Headpond. In order to do this, the chapter includes an assessment of the reuse of excavated material on site through a **Material Management Appraisal (Appendix 15.1, Volume 5)**.
- 7.1.53 **Chapter 15: 'Geology and Ground Conditions' (Volume 2: Main Report)**, details that approximately 2,200,000 m<sup>3</sup> of aggregate will be excavated from a borrow pit within the Headpond, in order to construct the embankments. This includes 405,000 m<sup>3</sup> of peat that will be excavated for the construction of the Proposed Development.
- 7.1.54 **Chapter 15** considers the potential effects on geology and soils, with a focus on the impact on peatlands. The Chapter notes that the volume of excavated peat has been minimised through conscious design and the embedded mitigation. It concludes that there will be no significant effects on geology and soils, including peat deposits post-mitigation.
- 7.1.55 NPF4 Policy 5 (c) states that 'development proposals on peatland, carbon-rich soils and priority peatland habitat will only be supported for:
- "... ii. The generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets."*
- 7.1.56 NPF4 Policy 5 (d) states that 'where development on peatland, carbon-rich soils or priority peatland habitat is proposed, a detailed site-specific assessment will be required'.
- 7.1.57 **Appendix 15.1: Outline Peat Management Plan (oPMP) (Volume 5: Appendices)** notes that it is expected that all excavated peat will be re-used within the Proposed Development Site, with no waste peat expected. A detailed Peat Management Plan will be developed, in accordance with NPF4 Policy 5, which will include measures to prevent unnecessary disturbance, degradation, or erosion of peatland.
- 7.1.58 The loss of blanket bog would be compensated through (mainly off-site) blanket bog restoration in accordance with NatureScot's loss/compensation area ratio of 1:10, plus an additional 10% as enhancement. Approximately 100 hectares of potential peatland restoration areas across 62 sites within the estate within which the Proposed Development Site is located have been identified within the **oPMP (Appendix 7.6, Volume 5)**.
- 7.1.59 Given the design approach and conclusions set out in **Chapter 15**, the oPMP, the Proposed Development is considered to comply with Policy 5 (a) and (d).
- 7.1.60 In terms of Policy 5 (c) it is considered that the residual effects identified in **Chapter 15** are justified by the project's contribution to Scotland's GHG reduction targets as a PSH scheme.
- 7.1.61 The Proposed Development therefore complies with NPF4 Policy 5.

## Policy 6: Woodland

- 7.1.62 The Policy Intent of NPF4 Policy 6 is 'to protect and expand forests, woodland and trees'. The Policy Outcomes are that 'existing woodlands and trees are protected, and cover is expanded' and 'woodland and trees on development sites are sustainably managed'.
- 7.1.63 Policy 6(a) outlines support for proposals that enhance, expand and improve woodland and tree cover.
- 7.1.64 Policy 6(c) outlines that woodland removal will only be supported where the proposal will achieve significant and clearly defined additional public benefits. It also notes that compensatory planting will most likely be required.
- 7.1.65 Policy 6(d) requires woodland enhancements and improvements to be integrated into the design of developments.
- 7.1.66 In compliance with these policy, a detailed LEMP is proposed which will set out the integration of both the proposed compensation and enhancements measures. An initial set of measures are outlined in the **oLEMP (Appendix 6.4, Volume 5: Appendices)** and summarised below:
- Enhancement of 55 hectares of ancient semi-natural birchwood, through protection from deer to encourage regeneration and recruitment which are currently lacking;
  - Provision of a deer-protected buffer for ancient semi-natural woodland regeneration;
  - Planting of 700 hectares of native woodland and montane scrub; and,
  - Reduction in deer density on retained open moorland.
- 7.1.67 **Chapter 18: 'Forestry' (Volume 2: Main Report)** outlines that, through the design of the Proposed Development steps have been taken avoid or minimise, where possible, effects on forestry and woodland. The Proposed Development, however, is anticipated to result in the loss of 2.18 hectares of semi-natural woodland (mixed native broad-leaved woodland), including 0.78 hectares of Ancient Woodland and 8.32 hectares of commercial woodland. This would result in a significant adverse effect on Ancient Woodland.
- 7.1.68 The Scottish Government's Control of Woodland Removal Policy provides policy direction for decisions on woodland removal in Scotland. The policy requires that an equivalent area of woodland be provided within the Proposed Development Site to ensure that the objective of no net loss of woodland is met. As detailed in **Appendix 7.5 Biodiversity Net Gain (Volume 5: Appendices)**, an additional 677 hectares of woodland will be provided (a net gain of 667 hectares), which will not only compensate for the woodland loss but also contribute to the enhancement of biodiversity, carbon sequestration, and overall environmental value.
- 7.1.69 Annex C of the Scottish Government's Control of Woodland Removal Policy includes broad guidance on meeting the acceptability criteria for woodland removal including an objective of no net loss of woodland. The Proposed Development meets the criteria as significant compensatory planting is proposed.
- 7.1.70 The Proposed Development will also deliver significant public benefits in terms of energy sustainability, socio-economic and recreational benefits, and, in line with the Control of Woodland Removal Policy it will contribute significantly to:
- Helping Scotland mitigate or adapt to climate change
  - Sustainable economic growth and rural/community development
  - Increasing the quality of Scotland's woodland cover.
- 7.1.71 The compensatory planting scheme proposed within the **oLEMP (Appendix 6.4, Volume 5: Appendices)** is in line with NPF4 6(c) and the Control of Woodland Removal Policy and will:
- Create new areas of native woodland, expanding existing habitat networks.
  - Enhance and protect existing ancient woodland, improving long-term ecological resilience.
  - Support climate adaptation efforts, reinforcing Scotland's Net Zero commitments.
- 7.1.72 The replanting scheme will be designed to maximise biodiversity gains, incorporating:



- Locally appropriate native tree species, ensuring habitat continuity.
- A range of age classes and structural diversity, supporting woodland regeneration.
- Strategic habitat connectivity, linking fragmented woodlands to create a more resilient ecosystem.

- 7.1.73 Given the significant woodland enhancement, expansion, and improvement measures outlined above, the Proposed Development is considered to comply with Policy 6, part (a), (c) and (d).
- 7.1.74 NPF4 Policy 6(b)(i) states that development proposals will not be supported where they result in: 'Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition'.
- 7.1.75 The Proposed Development does not fully accord with Policy 6(b)(i) as it will result in the unavoidable loss of an area of ancient woodland. Measures to further minimise the loss will be pursued at the detailed design stage, and included in the final LEMP.
- 7.1.76 As set out in **Chapter 7: 'Terrestrial Ecology' (Volume 2: Main Report)** in the medium to long term, the improved protection and regeneration of 55 hectares of ancient woodland by the River Coiltie, and the provision of extensive further native woodland would compensate for the loss of Ancient Woodland from a habitat perspective resulting in a not significant adverse effect on Ancient Woodland as a terrestrial habitat.
- 7.1.77 In addition, indirect beneficial effects may arise from the removal of ecologically habitat-poor conifer plantation to enable the construction of the Proposed Development. These benefits would arise from the natural regeneration and planting of more diverse woodland tree mix or introduction of native woodland species, than currently exists as detailed in the **oLEMP (Appendix 6.4, Volume 5: Appendices)**.
- 7.1.78 While the impacts on ancient woodland are recognised, the Proposed Development is, on balance, considered to comply with Policy 6. This recognises that the amount of woodland removed, including ancient woodland, has been minimised through the design process, the mitigation and the significant woodland enhancement measures, and the significant broader public benefit from the Proposed Development.

## Policy 7: Historic Assets and Places

- 7.1.79 The Policy Intent of NPF4 Policy 7 is 'to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places'. The Policy Outcomes include 'the historic environment is valued, protected, and enhanced, supporting the transition to net zero and ensuring assets are resilient to current and future impacts of climate change'.
- 7.1.80 NPF4 Policy 7 (a) states that 'Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment'. In compliance with this criterion **Chapter 12: 'Cultural Heritage' (Volume 2: Main Report)** has been completed and the impacts were assessed to be not significant.
- 7.1.81 NPF4 Policy 7 (h) states that 'Development proposals affecting scheduled monuments will only be supported where:
- 'direct impacts on the scheduled monument are avoided;
  - significant adverse impacts on the integrity of the setting of a scheduled monument are avoided; or
  - exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised'.
- 7.1.82 NPF4 Policy 7 (o) states that 'non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible'. It further states that 'where there is a potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts'.
- 7.1.83 As detailed in **Chapter 12: 'Cultural Heritage' (Volume 2: Main Report)**, no physical impacts to previously recorded archaeological remains are predicted from the pre-construction and enabling, and

construction phases. The baseline has also shown that the potential for impacts on previously unrecorded assets is low due to the archaeological potential for the Proposed Development Site being low.

- 7.1.84 The assessment identified the potential for operational stage impacts on three scheduled monuments: Urquhart Castle (SM90309), Cherry Island Crannog (SM9762) and Dùn Scriben Fort (SM9762). For Urquhart Castle and Cherry Island Crannog (the potential impacts are from the changes to the water level in Loch Ness. A review of data linked to water level changes in Loch Ness confirmed that potential waterlogged deposits at Urquhart Castle and Cherry Island Crannog would not be subject to dewatering due to the current lower water level not being exceeded during construction and operation of the Proposed Development. Full details of the hydrology modelling which has been used to inform this assessment can be found in **Chapter 11: 'Flood Risk and Water Resources' (Volume 2: Main Report)**.
- 7.1.85 The assessment also concluded that there would be no significant effects on the setting of Dùn Scriben Fort due to the distance from the Proposed Development and the topography, which screens the Proposed Development and preserves the setting.
- 7.1.86 The Proposed Development is considered to comply with NPF4 Policy 7.

## Policy 11: Energy

- 7.1.87 NPF4 Policy 11 is one of the key national policies relevant to the assessment of a PSH scheme. The Policy intent is to 'encourage, promote and facilitate all forms of renewable energy development...' with the 'expansion of renewable, low-carbon and zero emissions technologies' being the policy outcome.
- 7.1.88 NPF4 Policy 11 gives significant weight to the global climate emergency in all decisions, providing clear guidance to decision-makers. This can be seen in the decision on Earba Pumped Storage Hydro Scheme which states:
- 7.1.89 "The greatest weight in consideration of the proposed Development on the context of NPF4 is afforded to Energy policy...Significant weight is to be placed on the contribution of the proposed Development to renewable energy generation targets and on greenhouse gas emissions reduction targets. The proposed Development will store and supply a considerable amount of electricity per year, and act as an enabling technology for harnessing more renewable generation and will thus support renewable meeting renewable energy targets". Policy 11(a) states that 'Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported'. The policy expressly includes energy storage, such as PSH, in this.
- 7.1.90 In line with the Policy 11(a) it is considered that the Proposed Development, as a PSH, should be supported, and it is noted that the Proposed Development aligns with the International, UK and Scottish Government's policy of transitioning to a net zero economy, as outlined in **Chapter 17: 'Climate' (Volume 2: Main Report)**.
- 7.1.91 Policy 11 (b) relates to onshore wind farms and is not relevant to the Proposed Development.
- 7.1.92 Policy 11(c) states that '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'.
- 7.1.93 In terms of Policy 11 (c) the Proposed Development will enhance the electricity supply from renewables by storing and releasing electricity as needed. This will bolster the wider renewable energy sector and provide energy security to the Highland, wider Scottish and UK economy.
- 7.1.94 The Proposed Development will create socio-economic opportunities and deliver socio-economic benefits, including construction jobs and supply chain opportunities for the rest of The Highland Council area and Scotland as a whole, given its scale and rural location.
- 7.1.95 **Chapter 16: 'Socio-economics, Recreation and Tourism' (Volume 2: Main Report)** assesses that there will be a beneficial effects in terms of job creation and gross value added (GVA) generation at the pre-construction and enabling works, construction and operational stages. There will also be beneficial effects from operational stage workers supporting local services and the vitality of the local

area, and through the provision of new recreational access tracks. These beneficial effects are in addition to the energy equity, environmental sustainability, and energy security benefits outlined in **Image 2**.

- 7.1.96 A **Socio-Economic Statement** has been prepared to demonstrate how the Proposed Development will maximise the net economic impact, including local and community socio-economic benefits of the Proposed Development. A summary is included in **Section 2, Table 2-2**. It has been informed by engagement with The Highland Council (Economic Development), Community Councils and local residents.
- 7.1.97 Policy 11(d) notes that ‘Development proposals that impact on international or national designations will be assessed in relation to Policy 4’. An assessment of the compliance of the Proposed Development with Policy 4 of NPF4 is provided in paragraphs 7.1.26 to 7.1.49 above. It is considered that the Proposed Development would comply with NPF4 Policy 4.
- 7.1.98 NPF4 Policy 11(e) outlines impact criteria to be addressed in project design and mitigation but notes that significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on GHG emissions reduction targets. The Proposed Development’s assessment against these criteria is set out in **Table 7-2 NPF4 Policy 11 (e) Assessment Criteria** below.

**Table 7-2 NPF4 Policy 11 (e) Assessment Criteria**

Policy Criteria	Commentary
e)(i) Impacts on communities and individual dwellings, including, residential amenity, visual impact, noise, and shadow flicker.	<p>No significant noise effects were identified in <b>Chapter 14: ‘Noise and Vibration’</b> for the pre-construction and enabling, construction or operational stages on noise-sensitive receptors. To achieve this at the pre-construction and enabling, and construction stages, mitigation measures have been identified. These mitigation measures will be incorporated into the Construction Environmental Management Plan (CEMP) and implemented by the contractor. An oCEMP has been included as an appendix to the EIAR (<b>Appendix 3.1, Volume 5 Appendices</b>).</p> <p><b>Chapter 16: ‘Socio-economics, Recreation and Tourism’</b> identifies beneficial impacts on the local economy as detailed at paragraph 7.1.67.</p> <p>No significant adverse effects were identified on the local community, following the application of mitigation, which includes a Community Liaison Group (CLG). The CLG will enable the Applicant to consult with the community on construction works and address any emerging residential amenity or wider issues.</p> <p>The impact on Private Water Supplies is considered in <b>Chapter 10: ‘Water Environment’</b> and concludes that there would be no significant residual effects as a result of the Proposed Development.</p> <p>The impacts on traffic on the local road network are discussed under criteria (e)(vi).</p> <p><b>Chapter 6: ‘Landscape and Visual Effects’</b> found that the Proposed Development will result in some significant visual effects on the following receptors during construction and operation.</p> <p>During construction, there would be significant adverse effects on the properties represented by viewpoint (VP) 2 (Settlement of Foyers) and VP 3 (Foyers Campsite). At Year 1 of Operation, significant landscape effects would remain on VP 2 and VP 3. However, these effects would be reduced to not significant by Year 15 of Operation following the establishment of the planting proposed within the <b>oLEMP (Volume 5, Appendix 6.4)</b>.</p>
e)(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	<p><b>Chapter 6: ‘Landscape and Visual Effects’</b> found that the Proposed Development will result in some significant landscape and visual effects during the construction and operation stages.</p> <p>During construction there would be significant adverse effects on the landscape character within which the Proposed Development is located, including the Loch Ness and Duntelchaig Special Landscape Area (SLA). There would also be significant adverse effects on the properties represented by VP 2 (Settlement of Foyers) and VP 3</p>

Policy Criteria	Commentary
been applied, they will generally be considered to be acceptable.	<p>(Foyers Campsite) and on walking/boating routes and views represented by VP 1 (Meall Fuar-mhonaigh Summit), VP 5 (Beach near to Loch Ness View off the B852), VP 9 (Loch Ness), VP 12 (Local walking users off the Core Path network and Glen Coiltie Walking Loop) and VP 13 (A82 layby).</p> <p>At Year 1 of Operation, significant landscape effects would remain on the local landscape character as well as VP 1, VP 2, VP 3 and VP 12. By Year 15 of Operation all effects, except for VP 1, would be reduced to not significant following the establishment of the planting proposed within the <b>oLEMP (Volume 5, Appendix 6.4)</b>.</p> <p>Given that the policy recognises that landscape and visual impacts are to be expected and as the one long term operation stage impact is localised within the wider landscape context of Loch Ness, the Proposed Development can be considered generally acceptable in terms of 11 (e) (ii).</p>
(e)(iii) Public access, including impact on long distance walking and cycling routes and scenic routes.	<p>No significant effects were identified regarding local access around construction areas or to recreational routes. An Access Management Plan is proposed to mitigate any potential effects. An outline Access Management Plan is included as <b>Appendix 16.1 (Volume 5)</b>.</p> <p>New access paths are proposed as part of the Proposed Development. These will provide socio-economic and wellbeing benefits by offering recreational opportunities for local walkers and serving as an additional attraction for visitors to the area. Final details will be included in the detailed Access Management Plan.</p>
(e)(iv) Impacts on aviation and defence interests including seismological recording.	<p>The Defence Infrastructure Organisation, Civil Aviation Authority, National Air Traffic Services and Highland and Islands Airports Limited were consulted at scoping and no impacts were identified.</p>
(e)(v) Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised.	<p>BT and Joint Radio Company were consulted at scoping and no impacts were identified.</p>
(e)(vi) Impacts on road traffic and on adjacent trunk roads, including during construction.	<p><b>Chapter 14: 'Access, Traffic and Transport'</b> considered a range of effects resulting from increased traffic on the network, including severance, non-motorised user amenity, fear and intimidation, and safety.</p> <p>During the pre-construction phases there is estimated to be a daily construction traffic of 12 heavy goods vehicles (HGV) trips (6 arrivals and 6 departures) and 12 car/light goods vehicles (LGV) trips (6 arrivals and 6 departures) to/from the Proposed Development Site.</p> <p>The number of trips would rise during the construction period to 178 HGV trips (89 arrivals and 89 departures) and 34 car/LGV trips (17 arrivals and 17 departures) per day.</p> <p>Operational traffic is only likely to require access to the site occasionally via the Allt-sìgh track.</p> <p>No significant adverse effects were identified, which took account of the following embedded and additional mitigation measures:</p> <ul style="list-style-type: none"> <li>• a CTMP to control road-going construction traffic travelling to and from the Proposed Development Site.</li> <li>• a Workforce Traffic Management Plan to control the travel patterns of construction personnel, and they will be bused to and from the Temporary Workers Accommodation.</li> <li>• The use of on-site borrow pits and batching concrete to acquire materials and reduce traffic demand.</li> <li>• Measures to ensure the safety of children at school pick and drop off points.</li> </ul>
(e)(vii) Impacts on historic environment.	<p>As described in paragraph 7.1.45 and in <b>Chapter 13: 'Cultural Heritage'</b>, there would be no significant adverse effects on heritage assets during construction or operation of the Proposed Development.</p> <p>A number of embedded mitigation measures will be utilised to reduce potential effects resulting from the Proposed Development. This has included avoiding heritage assets, as well as moving elements such</p>

Policy Criteria	Commentary
(e)(viii) Effects on hydrology, the water environment and flood risk.	<p data-bbox="638 230 1374 282">as the access track to remove the potential for impacts on the setting of Dùn Scriben Fort (SM6220).</p> <p data-bbox="638 291 1321 398">Embedded mitigation including the planting proposed within the <b>oLEMP (Volume 5, Appendix 6.4)</b>, as well as the design of the above ground infrastructure, has also been developed to reduce impacts on setting.</p> <hr/> <p data-bbox="638 421 1385 501"><b>Chapter 10: 'Water Environment'</b> identifies that the construction and operation of the Proposed Development would result in the loss of all or part of the following water features:</p> <ul data-bbox="638 510 1382 678" style="list-style-type: none"> <li>• Loch nam Breac Dearga and the reaches of several small watercourses where new dams are proposed as part of the Headpond and where upgraded or new watercourse crossings are required; and</li> <li>• a length of shoreline along Loch Ness where the Lower Control Works will be constructed.</li> </ul> <p data-bbox="638 687 1374 768">The loss of Loch nam Breac Dearga and other watercourse channels due to the operation of the Headpond would result in a significant adverse effect.</p> <p data-bbox="638 777 1385 911">Due to initial uncertainty about potential impacts on the stratification of Loch Ness (which occurs annually during the summer and part of the autumn), a detailed literature review has been undertaken. This informed the assessment, which concluded that the impact on Loch Ness would not be significant.</p> <p data-bbox="638 920 1385 1115">A precautionary approach has been adopted with a hierarchical suite of mitigation proposed that would be implemented progressively in order to mitigate impacts on the water environment. The suite includes further design evolution, monitoring and modelling and then ongoing for a period post-opening, soft start, and adaptive operation. Alongside the embedded mitigation, the following mitigation measures are proposed:</p> <ul data-bbox="638 1124 1382 1413" style="list-style-type: none"> <li>• Water Quality and Flow Monitoring Plan (and subsequent monitoring) for construction phase.</li> <li>• Final Water Management Plan including an Emergency Response Plan.</li> <li>• Construction Groundwater Control Strategy.</li> <li>• Sediment Management Plan.</li> <li>• Water Supply Strategy.</li> <li>• Detailed Drainage Strategy.</li> <li>• Water Crossing Detailed Assessment.</li> </ul> <p data-bbox="638 1451 1382 1615"><b>A Water Framework Directive (WFD) Assessment (Appendix 10.1, Volume 5)</b> has been produced to assess the compliance of the Proposed Development with the WFD covering all the freshwater bodies which could be impacted by the Proposed Development. The WFD Assessment for the Proposed Development identified that there would be a not significant adverse effect on Loch Ness.</p> <p data-bbox="638 1653 1382 1848">As detailed in <b>Chapter 11: 'Water Resources and Flood Risk'</b>, the operation of the scheme would result in more frequent fluctuations in water levels. However, with the implementation of operation parameters based on the on maximum level in Loch Ness for generation and minimum level in Loch Ness for abstraction it is concluded that there would be no significant adverse effects on water resources.</p> <p data-bbox="638 1886 1382 2080"><b>A Flood Risk Assessment (FRA) (Appendix 11.2, Volume 5)</b> to assess the impact of the Proposed Development on flood risk has been prepared. The risk of flooding associated with the Headpond is considered to be high; however, due to the high standard of design, management and maintenance required under the Reservoirs Act and provided by any responsible operator, the probability of occurrence is considered extremely remote, reducing the impact to negligible.</p>

Policy Criteria	Commentary
(e)(ix) Biodiversity including impacts on birds.	<p>As discussed in paragraphs 7.1.14 and 7.1.17 the Proposed Development would have a significant adverse effect on a limited number of biodiversity receptors identified in the Terrestrial Ecology, and Ornithology Assessments, <b>Chapters 7 and 8</b>.</p> <p>The following measures have been included in the <b>oLEMP (Appendix 6.4, Volume 5: Appendices)</b> to mitigation adverse effects and enhance biodiversity:</p> <ul style="list-style-type: none"> <li>• Enhancement of 55 hectares of ancient semi-natural birchwood, through protection from deer to encourage regeneration and recruitment which are currently lacking;</li> <li>• Provision of a deer-protected buffer for ancient semi-natural woodland regeneration;</li> <li>• Planting of 700 hectares of native woodland and montane scrub; including:</li> <li>• Reduction in deer density on retained open moorland (across approximately 59 km<sup>2</sup>) from 9.5 per km<sup>2</sup> at last count to 8.5 per km<sup>2</sup>;</li> <li>• Provision of three ponds suitable for emerald dragonflies, a local speciality; and,</li> <li>• Provision of suitable habitat for water voles to be translocated to from the Headpond.</li> </ul> <p>These compensation measures are considered to significantly exceed the requirements of compensation alone and would contribute to the enhancement of biodiversity; achieving 12% net gain for area-based habitats and 10% net gain for watercourses, as detailed in <b>Appendix 7.5 Biodiversity Net Gain (Volume 5: Appendices)</b>.</p> <p>While significant residual effects were identified in the Terrestrial Ecology Assessment, no significant effects remained post-compensation.</p> <p>The impacts on Golden Eagle identified in the ornithology assessment would be temporary in nature during the construction phase. It is also noted that the impacts on Golden Eagle will be monitored by an Ecological Clerk of Works, and that the proposed enhancement measures will benefit a range of species including Golden Eagles.</p>
(e)(x) Impacts on trees, woods, and forests.	<p><b>Chapter 18: 'Forestry'</b> identifies that in a worst-case scenario, there would be the loss of 2.18 hectares of semi-natural woodland (mixed native broad-leaved woodland), including 0.78 hectares of Ancient Woodland and 8.32 hectares of commercial woodland.</p> <p>It is recognised that 0.78 hectares of irreplaceable ancient woodland would be lost however the improved protection and regeneration of 55 hectares of ancient woodland by the River Coiltie is proposed as part of a suite of additional habitat compensation and enhancement measures as set out in the <b>oLEMP (Appendix 6.4, Volume 5)</b>.</p> <p>Mitigation for woodland removal, as a whole, is proposed to ensure there is no net loss of woodland. Substantial compensation is also proposed, an additional 677 hectares of woodland, as detailed in <b>Appendix 7.5 Biodiversity Net Gain (Volume 5)</b>, which will not only compensate for the woodland loss but also contribute to the enhancement of biodiversity, carbon sequestration, and overall environmental value. Significant public benefits will also result from the Proposed Development.</p>
(e)(xi) Proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration.	<p>At present, there are no intentions for the Proposed Development to be decommissioned. However, a condition guaranteeing and managing the future decommissioning and restoration of the Proposed Development Site is anticipated.</p>
(e)(xii) The quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans.	<p>At present, there are no intentions for the Proposed Development to be decommissioned. However, conditions guaranteeing and managing the future decommissioning and restoration of the Proposed Development Site are anticipated.</p>



Policy Criteria	Commentary
(e)(xiii) Cumulative impacts.	<p>Cumulative impacts of the Proposed Development have been minimised as far as possible through careful siting and design, planting measures identified in the <b>oLEMP (Appendix 6.4, Volume 5: Appendices)</b> and the provision of upgrades at the Dochfour Weir.</p> <p>Significant and/or notable cumulative impacts, identified in the EIAR, are summarised below:</p> <p><b>Chapter 6: Landscape and Visual</b> identifies significant visual amenity impacts relating to a cluster of energy infrastructure located to the west of Loch Ness. These impacts are not unexpected as they are a result of the growth of renewable development, which is the intent of NPF4 Policy 11. It is also noted that views towards Loch Ness would remain to unaffected.</p> <p><b>Chapter 10: 'Water Environment'</b> identified the potential for significant cumulative impacts with other Loch Ness PSH schemes on water levels. Further modelling is proposed to support optimisation of the Proposed Development and the adaptive operation of the Proposed Development, which responds to water level variations.</p> <p><b>Chapter 16: 'Socio-economics, Recreation and Tourism'</b> identified the potential for beneficial impacts from the energy-related developments in The Highland Council area. This includes support economic diversification and enhance local workforce skills.</p>

- 7.1.99 Overall, it is recognised that PSH schemes have in-principal and the Proposed Development is consistent with the requirements of NPF4 Policy 11. Furthermore, significant weight should be given to the contribution of the Proposed Development to renewable energy generation targets and on GHG emissions reduction targets.

## Policy 12: Zero Waste

- 7.1.100 NPF4 Policy 12 aims to 'encourage, promote and facilitate development that is consistent with the waste hierarchy'.
- 7.1.101 **Chapter 17: 'Climate' (Volume 2: Main Report)** considers waste disposal as a potential source of GHG emissions and identifies mitigation measures to be embedded within the Proposed Development to reduce GHG impact. This includes:
- Increasing recyclability by segregating construction waste to be re-used and recycled where reasonably practicable;
  - Designing, constructing and implementing the Proposed Development in such a way to minimise the creation of waste; and
  - Where practicable, maximise the use of alternative materials with lower embodied carbon, such as locally sourced products and materials with a higher recycled content.
- 7.1.102 A **Material Management Appraisal (Appendix 15.1, Volume 5: Appendices)** has been prepared which demonstrates that there would be no excess material generated from the construction of the Proposed Development, with all the excavated material able to be re-used on site.
- 7.1.103 Additionally, and as noted in **Chapter 15: 'Geology and Ground Conditions' (Volume 2: Main Report)**, borrow pits and the batching of concrete will be utilised onsite to reduce traffic demand and the associated impact on GHGs. A **Framework CTMP (Appendix 13.2, Volume 5: Appendices)** has also been prepared to control road-going construction traffic travelling to and from the Proposed Development Site.
- 7.1.104 In addition, a shuttle bus will be provided for workers travelling from Inverness. This reduces the need for a high number of cars travelling to Proposed Development Site which is not easily accessible by public transport and minimising GHG emissions associated with travel to site.
- 7.1.105 There are no significant effects associated with the generation of waste during the construction of the Proposed Development. Therefore, the Proposed Development is considered to accord with NPF4 Policy 12.



## Policy 22: Flood Risk and Water Management

- 7.1.106 The Policy Intent of NPF4 Policy 22 is 'to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding'. The Policy Outcomes include 'Places are resilient to current and future flood risk' and 'Water resources are used efficiently and sustainably'.
- 7.1.107 NPF4 Policy 22 (c) states that development proposals will: 'i) 'not increase the risk of surface water flooding to others, or itself be at risk'.
- 7.1.108 **Chapter 11: 'Water Resources and Flood Risk' (Volume 2: Main Report)**, assesses the potential effects associated with the Proposed Development in terms of flood risk and impacts on water resources. It outlines that the Headpond, which will impound a substantial amount of water, will be designed to a high standard with ongoing management and maintenance required under the Reservoirs (Scotland) Act 2011 and provided by any responsible operator, and as such is deemed to be very low risk.
- 7.1.109 In terms of flood risk, no significant adverse effects are identified post-mitigation. Mitigation measures include implementation of the measures identified in the **oCEMP (Appendix 3.1, Volume 5: Appendices)**, suitable design of surface water drainage (to be included in the Detailed Drainage Strategy), construction of a downstream bund and the ongoing monitoring of water levels.
- 7.1.110 Given the findings of **Chapter 11** and the proposed mitigation, the Proposed Development is considered to accord with NPF4 Policy 11.

## Policy 23: Health and Safety

- 7.1.111 The Policy Intent of NPF4 Policy 23 is 'to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing. The policy outcomes include 'the creation of 'Safe places that protect human health and the environment'.
- 7.1.112 NPF4 Policy 23 (a) states that 'proposals that have positive effects on health will be supported'.
- 7.1.113 The Proposed Development includes new access tracks, offering recreational opportunities for walkers. The workers accommodation will provide a good level of amenity for construction workers. On-site medical and recreational facilities are proposed to cater for workers, and to avoid impacts on local primary health and community services.
- 7.1.114 Policy 23 (d) states that 'proposals that are likely to have significant adverse effects on air quality will not be supported'.
- 7.1.115 Air quality was scoped out of the EIA due to the limited potential for significant effects. No significant air quality effects are expected as emissions to the air will be limited to construction plant and construction dust, both of which will be mitigated through good practice measures. It is anticipated that the preparation of dust management plans will be a requirement within the CEMP.
- 7.1.116 Policy 23 (e) states that 'proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development'.
- 7.1.117 **Chapter 14: 'Noise and Vibration' (Volume 2: Main Report)** identifies no significant residual effects following the application of the mitigation. Mitigation measures are detailed in the **oCEMP (Appendix 3.1, Volume 5: Appendices)** which will include site specific measures where necessary. The final design of the blasting requirements will be undertaken by a specialist blasting contractor to avoid vibration and air overpressure impacts as far as practicable.
- 7.1.118 At the operational stage, no significant noise effects have been identified. This is due to the distance between the Proposed Development and noise sensitive properties, the depth of the power cavern (~500m), and embedded mitigation measures.
- 7.1.119 The formation of a Community Liaison Group (CLG) is also proposed. The CLG will enable the Applicant to consult with the community on the construction works and address any noise, and other construction related issues, as far as practicable, that emerge.

- 7.1.120 Given the findings of **Chapter 14** the mitigation measures to manage noise and other construction effects, the CLG and the benefits of additional recreational routes, the Proposed Development is considered to accord with NPF4 Policy 23.

## Policy 25: Community Wealth Building

- 7.1.121 The Policy Intent of NPF4 Policy 25 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'.
- 7.1.122 The policy outcome most relevant to the proposal, is that: 'local economic development that focuses on community and place benefits as a central and primary consideration – to support local employment and supply chains', and 'support community ownership and management of buildings and land'.
- 7.1.123 Policy 25 (a) states that: 'proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported'.
- 7.1.124 The Applicant is committed to the delivery of socio-economic benefits and a **Socio-Economic Statement** has been prepared to demonstrate how the development will "maximise net economic impact, including local and community socio-economic benefits" in accordance with the requirements of Policy 11(c). The Socio-Economic Statement also seeks to align the Proposed Development with principles of The Highland Council's Community Wealth Building Strategy 2024 - 2027 and Social Values Charter for Renewables Investment (2024).
- 7.1.125 Additionally, beneficial effects have been identified in **Chapter 16: 'Socio-economics, Recreation and Tourism' (Volume 2: Main Report)**. These include job creation, GVA generation at all stages of the Proposed Development, and the operational benefits in terms of supporting local services and the vitality of the local area, and the provision of new recreational access tracks.
- 7.1.126 Given the **Socio-Economic Statement** and the beneficial impacts identified in **Chapter 16**, the Proposed Development is considered to support community wealth-building strategies. The Proposed Development accords with NPF4 Policy 25.

## 7.2 Highland-wide Local Development Plan (2012)

### Introduction

- 7.2.1 This section provides a detailed assessment of the Proposed Development against the HwLDP policies most relevant to the Proposed Development. As a general point, the Proposed Development is in accordance with the HwLDP and derives significant policy support from it.

### Policy 28: Sustainable Design

- 7.2.2 The supporting text to Policy 28 sets out the requirement for all development to be designed in the context of sustainable development and climate change. Policy 28 states that The Highland Council 'will support developments which promote and enhance the social, economic and environmental wellbeing of the people of Highland'.
- 7.2.3 The Proposed Development Site has been chosen as the topography and geology of the area provides a highly suitable location for a PSH project, with the potential for industry leading levels of energy efficiency.
- 7.2.4 Through the design development, steps have been taken to avoid and minimise environment impacts and impacts on residential amenity as detailed in **Chapter 3: Evolution of Design and Alternatives (Volume 2: Main Report)**. As set out in EIAR assessment chapters (Volume 2 Main Report), where impacts have been identified mitigation and compensation measures have been proposed. This results in a limit the number of significant adverse impacts, and, as such, the Proposed Development has minimised the environmental impact of development. These impacts are discussed under Policies 51, 57 and 58 below.

- 7.2.5 Given the limited impact that it would have the Proposed Development is considered to conserve the character of the Highland area. Biodiversity and woodland enhancements alongside the provision of new recreational routes will contribute to the environmental wellbeing of the local community.
- 7.2.6 Resources will be used efficiently as all excavated material will be re-used on site, as detailed in Material Management Appraisal (**Appendix 15.1, Volume 5: Appendices**). An outline Waste Management Plan has been provided in **Appendix 3.1 'oCEMP' (Volume 5: Appendices)**.
- 7.2.7 The Proposed Development will support the diversification of the Highland economy and the creation of construction and operational jobs. There will be long term benefits through the creation of new operational jobs which will help retain or attract workers. This in turn will support local services and the overall vitality of the area.
- 7.2.8 Alongside **Chapter 16: Socio-Economics, Recreation and Tourism (Volume 2: Main Report)**, which identifies beneficial effects, a **Socio-Economic Statement** has been prepared. These documents demonstrate that the Proposed Development will contribute to the economic and social wellbeing of the community.
- 7.2.9 The Proposed Development aligns with the Highland Council's 'Physical Constraints on Development: Supplementary Guidance', which is detailed further in Section 6.3.
- 7.2.10 Given the above, the Proposed Development is considered to accord with Policy 28 of the HwLDP.

## Policy 29: Design Quality and Place-making

- 7.2.11 Policy 29 seeks high-quality design in the development and creation of high-quality environments in which people can live and work. It states that 'Applicants should demonstrate sensitivity and respect towards the local distinctiveness of the landscape, architecture, design, and layouts in their proposals'. Proposals should consider the historic pattern of development and landscape in the locality.
- 7.2.12 Due to the nature of the Proposed Development only the above ground infrastructure will be visible. The above ground infrastructure has, where possible, been sited so that it would not be visible from the surrounding areas. This includes relocating the proposed above ground compounds to a single location away from surrounding settlements following community feedback at the PAC events.
- 7.2.13 In terms of the Headpond it will be screened in views from the east and Loch Ness by the adjacent summit of Meall Fuar-mhonaidh. The Lower Control Works at Loch Ness have been designed sensitively to limit the prominence of the Proposed Development using materials that are in keeping with the natural loch shore.
- 7.2.14 Landscape impacts are discussed under Policy 61, but it is noted that only one localised significant impact, on views from the summit of Meall Fuar-mhonaidh (VP 1), is identified by Year 15 at the operation stage of the Proposed Development. Landscape and biodiversity enhancement measures are set out in **Appendix 6.4 Outline Landscape and Ecology Management Plan (Volume 5: Appendices)**.
- 7.2.15 Given the above, the Proposed Development is considered to accord with Policy 29 of the HwLDP.

## Policy 30: Physical Constraints

- 7.2.16 Policy 30 states that 'Developers must consider whether their proposals would be located within areas of constraints as set out in the Physical Constraints Supplementary Guidance'.
- 7.2.17 The Proposed Development is considered to accord with the Highland Council's Physical Constraints Supplementary Guidance, as detailed further in Section 7.4 . As such the Proposed Development is considered to accord with Policy 30 of the HwLDP.

## Policy 51: Trees and Development

- 7.2.18 Policy 51 states 'Council will support development which promotes significant protection to existing hedges, trees and woodlands on and around development sites'. It also requires 'additional tree/hedge planting within a tree planting or landscape plan to compensate for tree removal'.

- 7.2.19 **Chapter 18: 'Forestry'** outlines that through the design of the Proposed Development steps have been taken to avoid or minimise, where possible, effects on forestry and woodland. The proposed development, however, is anticipated to result in the loss of 2.18 hectares of semi-natural woodland (mixed native broad-leaved woodland), including 0.78 hectares of Ancient Woodland and 8.32 hectares of commercial woodland.
- 7.2.20 The Applicant is committed to the objectives of the Scottish Government's Control of Woodland Removal Policy and an equivalent area of woodland will be provided within the Proposed Development Site to ensure that the objective of no net loss of woodland is met. In addition to this, as detailed in **Appendix 7.5 Biodiversity Net Gain (Volume 5: Appendices)**, an additional 677 hectares of net woodland will be provided, which will not only compensate for the woodland loss but also contribute to the enhancement of biodiversity, carbon sequestration, and overall environmental value.
- 7.2.21 The mitigation and significant enhancement measures that are being proposed are set out in **Appendix 6.4 Outline Landscape and Ecology Management Plan (Volume 5: Appendices)**.
- 7.2.22 The alignment with the Highland Council's 'Trees, Woodland and Development Supplementary Guidance' is detailed further in Section 6.3.
- 7.2.23 Given the above, the Proposed Development is considered to accord with Policy 51 of the HwLDP.

## Policy 52: Principle of Development in Woodland

- 7.2.24 Policy 52 requires applicants to demonstrate the need to develop a wooded site and to show that the site can accommodate the Proposed Development. It states that development proposals will only be supported where they can offer a clear and significant public benefit, as Council maintains a strong presumption in favour of protecting woodland resources. Where woodland removal is proposed, compensatory planting will usually be required.
- 7.2.25 As set out in **Chapter 3: Evolution of Design and Alternatives the Proposed Development Site (Volume 2: Main Report)** is considered to be a highly suitable location for a pumped storage hydro project, with the potential for industry leading levels of energy efficiency due to the topography and geology of the area.
- 7.2.26 The Proposed Development Site does, however, require impacts on woodland in order to facilitate the Proposed Development, and enable the energy and socio-economic benefits associated with it. Alongside the energy and socio-economic benefits, woodland and biodiversity enhancements are also proposed. An initial set of woodland planting measures are outlined in the **oLEMP (Appendix 6.4, Volume 5: Appendices)** and summarised below:
- Enhancement of 55 hectares of ancient semi-natural birchwood, through protection from deer to encourage regeneration and recruitment which are currently lacking;
  - Provision of a deer-protected buffer for ancient semi-natural woodland regeneration;
  - Planting of 700 hectares of native woodland and montane scrub; and,
  - Reduction in deer density on retained open moorland.
- 7.2.27 Policy 52 states the Council will assess major development proposals against their socio-economic impact on the forestry industry, the economic maturity of the woodland, and the opportunity for the proposals to coexist with forestry operations.
- 7.2.28 As detailed in **Chapter 13: 'Forestry' (Volume 2: Main Report)**, the Proposed Development would result in the direct loss of 8.32 hectares of commercial woodland. Due to its prevalence in the local landscape, it is considered that the Proposed Development would have a minor adverse effect on commercial forestry. Consultation has been carried out with Forestry and Land Scotland on the Proposed Development regarding the operation of their commercial woodland adjacent to the Proposed Development Site.
- 7.2.29 In response to Policy 52, consideration has also been given to the Scottish Government's Control of Woodland Removal Policy, and it is noted that Annex C includes broad guidance on meeting the acceptability criteria for woodland removal. The Proposed Development meets the criteria as significant compensatory planting is proposed, resulting in an addition 677 hectares of woodland (a net gain of 667 hectares), and as the it will contribute significantly to:

- Helping Scotland mitigate or adapt to climate change
- Sustainable economic growth and rural/community development
- Increasing the quality of Scotland's woodland cover.

- 7.2.30 The Proposed Development aligns with the Highland Council's 'Forest and Woodland Strategy' is detailed further in Section 6.3.
- 7.2.31 The Proposed Development is considered to accord with Policy 52 of the HwLDP.

## Policy 55: Peat and Soils

- 7.2.32 Policy 55 requires 'Development proposals to demonstrate how they avoid unnecessary disturbance, degradation, or erosion of peat and soils'. It goes on to states that 'Unacceptable disturbance of peat will not be permitted unless it is shown that the adverse effects of such disturbance are outweighed by social, environmental, or economic benefits arising from the Proposed Development'.
- 7.2.33 **Chapter 15: 'Geology and Ground Conditions' (Volume 2: Main Report)**, details that approximately 2,200,000 m<sup>3</sup> of bulked material will be excavated from a borrow pit within the Headpond, in order to construct the embankments. This includes 405,000 m<sup>3</sup> of peat that will be excavated for the construction of the Proposed Development.
- 7.2.34 **Chapter 15** notes that the volume of excavated peat has been minimised through conscious design and the embedded mitigation. It concludes that there will be no significant effects on geology and soils, including peat deposits post-mitigation.
- 7.2.35 **Appendix 15.1: Outline Peat Management Plan (oPMP) (Volume 5: Appendices)** notes that it is expected that all excavated peat will be re-used within the Proposed Development Site, with no waste peat removal expected.
- 7.2.36 The peat disturbance is considered to be acceptable as the significant energy, socio-economic, forestry and biodiversity benefits of the Proposed Development are considered to outweigh the impacts identified in **Chapter 15**.
- 7.2.37 There are no sites designated under the Convention on Wetlands of International Importance ('Ramsar Convention') which would be impacted by the Proposed Development.
- 7.2.38 Given the above, the Proposed Development is considered to accord with Policy 55 of the HwLDP.

## Policy 57: Natural, Built, and Cultural Heritage

- 7.2.39 Policy 57 states that 'all development proposals will be assessed taking into account the level of importance and type of natural, built and cultural heritage features, the form and scale of the development, and any impact on the feature and its setting in the context of the features identified in Appendix 2 of the HwLDP'.
- 7.2.40 As detailed in **Chapter 7: 'Terrestrial Ecology' (Volume 2: Main Report)**, the Proposed Development would have a negligible adverse effect on the Ness Woods, Urquhart Bay Woods and Loch Ruthven SACs during pre-construction, construction and operation, which have been identified as 'Features of International Importance' within Appendix 2 of the HwLDP. No other impacts on 'Features of International Importance' have been identified.
- 7.2.41 As detailed in **Chapter 7: 'Terrestrial Ecology'** the Proposed Development would have a negligible adverse effect on Easter Ness Forest, Inverfarigaig and Urquhart Bay Wood SSSIs during pre-construction, construction and operation, which have been identified as 'Features of National Importance' within Appendix 2 of the HwLDP.
- 7.2.42 As detailed in **Chapter 7: 'Terrestrial Ecology'** and **Chapter 13: 'Forestry' (Volume 2: Main Report)**, there would be a significant adverse effect due to the loss of 0.78 hectares of Ancient Woodland and 1.41 hectares of Semi-Natural Woodland, which have been identified as 'Features of National Importance' within Appendix 2 of the HwLDP.
- 7.2.43 Given this impact, woodland reinstatement and compensation measures are proposed. These include improved protection for the regeneration of 55 hectares of ancient woodland by the River Coiltie.



Additionally, as detailed in **Appendix 7.5 Biodiversity Net Gain (Volume 5: Appendices)**, an additional 674 hectares of woodland will be provided, which will fully compensate for the semi-natural and commercial woodland that will also be lost on the Proposed Development Site while contributing to the enhancement of biodiversity, carbon sequestration, and overall environmental value.

- 7.2.44 Policy 57 also states that ‘any significant adverse effects, these must be clearly outweighed by social or economic benefits of national importance. It must also be shown that the development will support communities in fragile areas who are having difficulties in keeping their population and services’.
- 7.2.45 The Proposed Development will deliver significant benefits in terms of energy sustainability and supporting the Scottish Government's ambition to decarbonise electricity generation in line with Scotland's 2045 net-zero. The beneficial socio-economic-effects are detailed in **Chapter 16: ‘Socio-economics, Recreation and Tourism’ (Volume 2: Main Report)** and the steps to maximise the net economic impact, including local and community socio-economic benefits are detailed in a separate **Socio-Economic Statement**. It is also noted that **Chapter 16** identifies beneficial effects from operational stage workers supporting local services and the vitality of the local area. These benefits are considered to outweigh the ancient woodland losses.
- 7.2.46 **Chapter 6: ‘Landscape and Visual Effects’ (Volume 2: Main Report)** of the EIAR concludes that there would be negligible or minor adverse effects on the following ‘Features of Local Importance’, identified within Appendix 2 of the HwLDP, as a result of the Proposed Development:
- Loch Ness and Loch Duntelchaig SLA; and,
  - Views over Loch Ness.
- 7.2.47 There would be no significant adverse effects on cultural heritage features as detailed in **Chapter 12: ‘Cultural Heritage’ (Volume 2: Main Report)**.
- 7.2.48 While the impacts on ancient woodland are recognised, the Proposed Development is, on balance, considered to comply with Policy 57 of the HwLDP. This recognises the impact on woodland, including ancient woodland, has been minimised through the design process, the mitigation and significant enhancement measures, and the broader energy, social and economic benefits.

## Policy 58: Protected Species

- 7.2.49 Policy 58 states that where there is good reason to believe that a European protected species or protected bird species may be present on-site or may be affected by a proposed development, a survey must be carried out to establish any such presence and if necessary, a mitigation plan to avoid or minimise any impacts on the species.
- 7.2.50 Ecological field surveys were carried out within the Proposed Development Site and surrounding area between April 2024 and October 2024. Ornithology field surveys were carried out within the Proposed Development Site and surrounding area between January 2024 and January 2025. Various aquatic and marine surveys have been undertaken on relevant watercourses including Loch Ness and Loch nam Breac Dearga between March 2024 and Spring 2025.
- 7.2.51 As detailed in **Chapter 7: ‘Terrestrial Ecology’ (Volume 2: Main Report)**, there would be adverse effects, without compensation or enhancement, during pre-construction and construction on Otter which are European protected species under Schedule 2 of the Conservation (Natural Habitats &c) Regulations. These impacts would be mitigated through the creation of new habitats or enhancement of the existing habitats for the impacted species.
- 7.2.52 As detailed in **Chapter 8: ‘Ornithology’ (Volume 2: Main Report)**, there would be pre-mitigation adverse effects on the following protected bird species, during pre-construction, construction and operation: Slavonian Grebe, Red-throated Diver, Golden Eagle, Black Grouse and Dunlin.
- 7.2.53 Following the implementation of impact avoidance and mitigation the only remaining residual significant effects comprise of a temporary adverse effect on golden eagle due to disturbance and displacement of foraging birds during the construction phase. Effects on Slavonian Grebe, Red-throated Diver, Golden Eagle, Black Grouse and Dunlin post-mitigation are not significant.
- 7.2.54 While the impacts on Golden Eagles are recognised, it is noted that

- A precautionary approach has been adopted in relation to Golden Eagle habitats and these effects may be less than anticipated. The stated impacts on Golden Eagle would be temporary in nature during the construction phase. It is also noted that the impacts will be monitored by Ecological Clerk of Works, and that the proposed biodiversity enhancement measures will benefit a range of species including Golden Eagles.
- As detailed in **Chapter 3: 'Evolution of Design' (Volume 2: Main Report)** the site characteristics makes the Proposed Development Site highly suited for a PSH with the potential for industry leading levels of energy efficiency.
- The Proposed Development will result in significant benefits including energy sustainability and supporting the Scottish Government's ambition to decarbonise electricity generation. It will also deliver socio-economic benefits, including jobs and supporting the vitality of a rural areas as detailed in **Chapter 16: 'Socio-economics, Recreation and Tourism' (Volume 2: Main Report)**.

7.2.55 As detailed in **Chapter 9: 'Aquatic Ecology' (Volume 2: Main Report)**, the Proposed Development would, pre-mitigation, result in adverse effects on the Atlantic Salmon which is a European protected species during pre-construction, construction and operation.

7.2.56 **Chapter 9** outlines a suite of mitigation measures, including measures to deter Atlantic Salmon smolts from the intake screen, installation of improved fish passage at Dochfour Weir, a non-physical deterrent to prevent smolts being lost down the Caledonian Canal, and the installation of a seasonally variable weir on Dochfour Weir to control water levels in Loch Ness and maintain flows in the River Ness downstream (including to mitigate for the cumulative effects of all existing, consented, and proposed pumped storage hydro schemes on Loch Ness). Post-mitigation aquatic ecology effects are not significant.

7.2.57 While the impacts on Golden Eagles are recognised, the Proposed Development is, on balance, considered to comply with Policy 58 of the HwLDP. This recognises the temporary nature of the effects on Golden Eagles, the significant enhancement measures, the high suitability of the Proposed Development Site and the public interest resulting from the energy, social and economic benefits.

## Policy 59: Other Important Species

7.2.58 Policy 59 states that the Council will consider the presence of Other Important Species, protected under national designations, and any adverse effects - both individually and cumulatively – of development proposals on these species (if they are not already protected by other legislation or nature conservation site designations).

7.2.59 As detailed in **Chapter 7: 'Terrestrial Ecology' (Volume 2: Main Report)**, there would not be significant adverse effects on the following protected species, without compensation or enhancement, during pre-construction and construction: Water Vole; Pine Marten; and Terrestrial Invertebrates. These impacts would be mitigated through the creation of new habitats or enhancement of the existing habitats for the impacted species.

7.2.60 As detailed in **Chapter 8: 'Ornithology' (Volume 2: Main Report)**, there would be no significant adverse effects on bird species, with the exception of Golden Eagles (which are assessed under Policy 58 of the HwLDP) following the application of mitigation.

7.2.61 As detailed in **Chapter 9: 'Aquatic Ecology' (Volume 2: Main Report)**, there would be no significant adverse effects on other aquatic species, with the exception of Atlantic Salmon (which are assessed under Policy 58 of the HwLDP).

7.2.62 Given the above, the Proposed Development is considered to accord with Policy 59 of the HwLDP.

## Policy 60: Other Important Habitats and Article 10 Features

7.2.63 This policy seeks to 'safeguard the integrity of features of the landscape which are of major importance because of their linear and continuous structure or combination as habitat "stepping stones" for the movement of wild fauna and flora. (Article 10 Features)'.

7.2.64 **Chapter 7: 'Terrestrial Ecology' (Volume 2: Main Report)**, identifies adverse effects on the following important habitats, as identified under Policy 60, during the pre-construction and construction phases:



- Ancient Semi-natural woodland
- Other semi-natural woodland
- Montane willow scrub
- Blanket bog
- Wet and dry heaths
- Montane heaths
- Basic flush
- Species-rich grasslands

7.2.65 These impacts would be mitigated through peatland restoration as detailed in the **oPMP (Appendix 15.1, Volume 5: Appendices)** and suite of additional habitat compensation and enhancement measures as set out in the **oLEMP (Appendix 6.4, Volume 5: Appendices)**. Post-compensation there would be a no significant residual effects on these habitats.

7.2.66 Given the proposed mitigation and compensation measures identified to reduce and offset impact on 'other important habitats', the Proposed Development is considered to accord with Policy 60 of the HwLDP.

## Policy 61: Landscape

7.2.67 Policy 61 states that new developments should be designed to reflect the landscape characteristics and special qualities identified in the Landscape Character Assessment of the area in the form in which they are proposed. This includes consideration of the appropriate construction materials. In the assessment of new developments, the Council will take account of Landscape Character Assessments and Landscape Capacity Studies.

7.2.68 The siting and visual impact of the Proposed Development has been carefully considered as part of the design evolution as detailed in **Chapter 3: 'Evolution of Design and Alternatives' (Volume 2: Main Report)**. The Lower Control Works has been carefully designed to limit the permanent footprint on the loch shore, removing the requirement for buildings and using a combination of material choice, surface treatment of the platform and access road structure along with the extension of the foreshore and native woodland planting.

7.2.69 An assessment of the impact of the Proposed Development on landscape character is provided in **Chapter 6: 'Landscape and Visual Effects' (Volume 2: Main Report)**.

7.2.70 The Highland Council's Landscape Character Assessments uses Landscape Character Types (LCTs) to identify and describe areas with consistent and recognizable landscape characteristics. Significant landscape effects are predicted for two of the seven LCTs during construction. These are LCT 222: Rocky Moorland Plateau - Inverness and LCT 225: Broad Steep-Sided Glen, which the Proposed Development would be directly located within.

7.2.71 At Year 1 of Operation, significant landscape effects are also predicted at LCT 222: Rocky Moorland Plateau - Inverness. By Year 15 of Operation all impacts would be not significant following the establishment of the planting proposed within the **Outline Landscape and Ecology Management Plan (Appendix 6.4, Volume 5: Appendices)**.

7.2.72 In terms of the wider landscape and visual effects, there would be significant adverse effects on the properties represented by VP 2 (Settlement of Foyers) and VP 3 (Foyers Campsite) and on walking/boating routes and views represented by VP 1 (Meall Fuar-mhonaigh Summit), VP 5 (Beach near to Loch Ness View off the B852), VP 9 (Loch Ness), VP 12 (Local walking users off the Core Path network and Glen Coiltie Walking Loop) and VP 13 (A82 layby).

7.2.73 At Year 1 of Operation, significant landscape effects would remain on the local landscape character as well as VP 1, VP 2, VP 3 and VP 12. By Year 15 of Operation all effects, except for VP 1, would be reduced to not significant following the establishment of the planting proposed within the **outline Landscape and Ecology Management Plan (Appendix 6.4, Volume 5: Appendices)**.

7.2.74 These effects can be considered to be localised, given the wider landscape context of Loch Ness and as they do not impact an SLA.

7.2.75 Given the above, the Proposed Development is considered to accord with Policy 61 of the HwLDP.

## Policy 62: Geodiversity

7.2.76 Policy 62 seeks to protect geodiversity interests of international, national, and regional/local importance in the wider countryside. There are no sites designated for their geodiversity which would be impacted by the Proposed Development. **Chapter 15 Geology and Ground Conditions (Volume 2: Main Report)** notes that the potential effects on geological receptors are extremely limited and concludes that there are no significant adverse effects.

7.2.77 Given the above, the Proposed Development is considered to accord with Policy 62 of the HwLDP.

## Policy 63: Water Environment

7.2.78 Policy 63 states that consideration should be given to the potential cumulative impacts of proposals that could affect the water environment. Proposals should not compromise the objective of the Water Framework Directive (WFD) (2000/60/EC)<sup>48</sup>, aimed at the protection and improvement of Scotland's water environment.

7.2.79 **Chapter 10: 'Water Environment' (Volume 2: Main Report)** assesses the potential impact of the Proposed Development on the water environment including potential cumulative effects. During detailed design, modelling is proposed to assess the potential of cumulative effects on Loch Ness resulting from the operation of multiple proposed PSH schemes. Ultimately, Glen Earrach PSH would only operate within the natural water level variation of Loch Ness and adaptive operation would be used to address any potential cumulative effects.

7.2.80 A WFD Assessment (**Appendix 10.1, Volume 5: Appendices**) has been produced to assess the compliance of the Proposed Development with the WFD covering all the freshwater bodies which could be impacted by the Proposed Development. The WFD Assessment for the Proposed Development identified only a negligible to minor adverse effect on Loch Ness.

7.2.81 Given the above, the Proposed Development is considered to accord with Policy 63 of the HwLDP.

## Policy 64: Flood Risk

7.2.82 Policy 64 ensures that development proposals promote sustainable flood management.

7.2.83 **Chapter 11: 'Water Resources and Flood Risk' (Volume 2: Main Report)** identifies the potential for a negligible to minor adverse effect on flood risk during pre-construction and construction due to increased run-off, temporary water storage and dewatering activities.

7.2.84 The flood risks associated with the operation stage of the Proposed Development are discussed in detail in **Appendix 11.2: Flood Risk Assessment (Volume 5: Appendices)**. The risk of flooding associated with the Headpond is considered to be high; however, due to the high standard of design, management and maintenance required under the Reservoirs Act and provided by any responsible operator, the probability of occurrence is considered extremely remote, mitigating the impact to negligible.

7.2.85 Given the above, the Proposed Development is considered to accord with HwLDP Policy 64.

## Policy 66: Surface Water Drainage

7.2.86 Policy 66 requires all development to be drained by Sustainable Drainage Systems (SuDS) designed in accordance with The SuDS Manual (CIRIA C697)<sup>49</sup>.

<sup>48</sup> European Parliament (2000) *Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy* (Online) Available at: <https://eur-lex.europa.eu/eli/dir/2000/60/oj/eng>

<sup>49</sup> CIRIA (2007) *The SuDS Manual (C753F)*

7.2.87 As detailed in **Chapter 10: 'Water Environment' (Volume 2: Main Report)**, during operation, surface water runoff from permanent above ground facilities will be treated using sustainable drainage systems (e.g. ditches, swales, ponds etc.) where possible or otherwise via proprietary treatment measures. These measures will then be managed and maintained for the life of the Proposed Development by the operator of the Proposed Development.

7.2.88 Given the above, the Proposed Development is considered to accord with Policy 66 of the HwLDP.

## Policy 67: Renewable Energy Developments

7.2.89 Policy 67 requires 'development proposals to be well related to the source of the primary renewable resources that are needed for their operation. The Highland Council will also consider:

- The contribution of the proposed development toward meeting renewable energy generation targets; and
- Any positive or negative effects it is likely to have on the local and national economy'.

7.2.90 As set out in **Chapter 13: 'Evolution of Design and Alternatives' (Volume 2: Main Report)** the Proposed Development Site is considered to be in a highly suitable location for a pumped storage hydro project, with the potential for industry leading levels of energy efficiency. This is due to the topography and geology of the area between Loch nam Breac Dearga and Loch Ness.

7.2.91 The Proposed Development would be able to store approximately 34,000 MWh of energy and generate up to 2,000 MW of electricity. As noted in **Section 4 Need for the Proposed Development**, the Proposed Development would support the expansion of the renewable energy sector and contribute to Scotland's transition from a low-carbon to a zero-carbon energy supply.

7.2.92 The supporting text to Policy 67 states that 'Council will expect developments to benefit the local community and contribute to the wellbeing of the Highlands, whilst recognising wider national interests'.

7.2.93 **Chapter 16: 'Socio-economic, Recreation and Tourism' (Volume 2: Main Report)** assesses the impact of the Proposed Development on the local and national economy. The assessment concludes that the Proposed Development would have a minor to moderate beneficial effect on job creation within The Highland Council area and on the economy across the pre-construction, construction and operation.

7.2.94 A **Socio-Economic Statement** has been prepared to demonstrate how the Proposed Development will benefit the local community and contribute to the wellbeing of the Highlands. Key measures are set out in **Section 2.3**.

7.2.95 The relevant considerations in Policy 67 against which the Proposed Development are assessed are in **Table 7-3 LDP Policy 67 Assessment Criteria** below.

**Table 7-3 LDP Policy 67 Assessment Criteria**

Criteria	Commentary
<i>"The Council will support proposals where it is satisfied that they are located, sited and designed such that they will not be significantly detrimental overall, either individually or cumulatively with other developments, having regard in particular to any significant effects on the following":</i>	
Natural, built, and cultural heritage features	<p>The EIAR concludes that the Proposed Development is likely to have mainly minor adverse to negligible effects on the environment.</p> <p>There would be no significant adverse effects on built or cultural heritage features following the introduction of mitigation or compensation.</p> <p>Significant adverse effects are limited to impacts on the hydromorphology of Loch nam Breac Dearga, and Allt Loch an t-Sionnaich and two of its tributaries for the creation of the Headpond.</p> <p>No significant adverse cumulative effects on natural, built and cultural heritage features have been identified in-combination with other developments.</p>

Criteria	Commentary
Species and habitats	<p>Significant effects in relation to ecology (terrestrial and aquatic) and ornithology are discussed under Policy 57.</p> <p><b>Chapter 7: Terrestrial Ecology, Chapter 8: Ornithology and Chapter 9: Aquatic Ecology (Volume 2: Main Report)</b> consider the impacts of the Proposed Development on species and habitats.</p> <p>Where adverse effects have been identified, mitigation measures have been proposed to reduce residual effects to non-significant in the case of most species and habitats.</p> <p>For all remaining significant residual effects, the Applicant proposes compensatory measures to offset these effects and enhancement measures to provide additional benefits for biodiversity beyond those provided by mitigation or compensation. Following the introduction of mitigation and compensation measures it is concluded that the remaining significant adverse effect, on the disturbance of Golden Eagle during construction, is temporary in nature.</p> <p>No significant adverse cumulative effects on species have been identified in-combination with other developments.</p>
Visual impact and impact on the landscape character of the surrounding area. The design and location of the proposal should reflect the scale and character of the landscape and seek to minimise landscape and visual impact, subject to any other considerations.	<p>The siting and visual impact of the Proposed Development has been carefully considered as part of the design evolution as detailed in <b>Chapter 3: 'Evolution of Design and Alternatives'</b>. The topography has been utilised in the design of the Proposed Development to reduce the embankment size and length required to create the Headpond.</p> <p>The Proposed Development will result in significant landscape and visual effects during the construction and operation stages. However:</p> <ul style="list-style-type: none"> <li>• Appropriate design mitigation is proposed to manage and/or reduce the scale of temporary construction stage landscape and visual effects and will be detailed in the CEMP.</li> <li>• Appropriate mitigation has been embedded into the Proposed Development's design, which will reduce the operational stage effects so that by Year 15, there will be only one significant visual effect on the summit of Meall Fuar-mhonaith (VP1).</li> </ul> <p>The impacts are considered to be localised within the wider landscape context of Loch Ness and as they do not affect an SLA. Furthermore, these impacts are necessary in order to facilitate the Proposed Development and the resulting energy benefits.</p>
Amenity at sensitive locations, including residential properties, workplaces, and recognised visitor sites (in or outwith a settlement boundary);	<p>No significant air quality effects are expected as emissions to the air will be limited to construction plant and construction dust, both of which will be mitigated through good practice measures. No significant residual effects on noise sensitive receptors have been identified following the application of the mitigation.</p> <p>Following community consultation feedback was received on the location of the construction compounds, including workers accommodation, being too close to existing communities. The compounds were subsequently relocated to the northwest of the site to reduce these potential impacts on local communities.</p> <p>The workers accommodation will provide a good level of amenity for the construction workers. On-site health care and recreational facilities are proposed to cater for workers, and to avoid impacts on local primary health and community services.</p>
The safety and amenity of any regularly occupied buildings and the grounds that they occupy – having regard to visual intrusion or the likely effect of noise generation.	<p>At the operational stage, no significant effects have been identified on noise sensitive receptors. This is due to the distance between the Proposed Development and noise sensitive receptors, the depth of the power cavern (~500m), and embedded mitigation measures.</p> <p>Impacts on visual amenity have been discussed above.</p>

Criteria	Commentary
Groundwater, surface water (including water supply), aquatic ecosystems, and fisheries.	<p>During the pre-construction, construction and operational stages, there would be the potential for minor adverse residual effects on groundwater and surface water receptors. However, significant adverse effects are limited to impacts on the hydromorphology due to the loss of Loch nam Breac Dearga, and the loss of some channels of Allt Loch an t-Sionnaich and two of its tributaries for the creation of the Headpond.</p> <p>The Proposed Development would have a negligible to minor adverse effect on aquatic ecosystems during construction and operation.</p> <p>During detailed design, modelling is proposed to assess the potential of cumulative effects on Loch Ness resulting from the operation of multiple proposed PSH schemes.</p>
The safe use of airport, defence, or emergency service operations, including flight activity, navigation and surveillance systems, and associated infrastructure, or on aircraft flight paths or MoD low-flying areas.	<p>The Defence Infrastructure Organisation, Civil Aviation Authority, National Air Traffic Services and Highland and Islands Airports Limited were consulted at scoping and no impacts were identified.</p>
The amenity of users of any Core Path or other established public access for walking, cycling, or horse riding.	<p>As detailed in <b>Chapter 16: 'Socio-economics, Recreation and Tourism' (Volume 2: Main Report)</b>, during pre-construction and construction there would be negligible to minor adverse effects on the Affric Kintail Way and other recreational walking routes including Core Paths 02.02 and 02.03. Impacts on and access to recreation routes during the pre-construction and construction phases would be managed through an <b>Outline Access Management Plan (oAMP) (Appendix 16.1, Volume 5: Appendices)</b>. In addition, information on construction activities and access management measures would be displayed for recreational users on the project website and local community information boards.</p> <p>During operation, there would be a negligible adverse impact on all recreational routes, with beneficial effects resulting from the new access routes.</p>
Tourism and recreation interests	<p><b>Chapter 16: Socio-Economics, Recreation and Tourism (Volume 2: Main Report)</b> identified only minor adverse effects on visitor accommodation and visitor attractions during pre-construction and construction and a minor adverse effect on the enjoyment of Loch Ness as a tourism asset during construction.</p> <p>The provision of on-site workers accommodation avoids the need to utilise visitor accommodation to house workers. This in turn would avoid tourists being displaced from staying in the area.</p> <p>The construction of the Proposed Development would result in opportunities for construction workers to spend in shops, food and drink establishments and potentially visit local visitor attractions. These opportunities would be provided in a managed way, via the proposed shuttle bus connections to Inverness and local settlements.</p>
Land and water-based traffic and transport interests.	<p>As detailed in <b>Chapter 13: 'Access, Traffic and Transport' (Volume 2: Main Report)</b>, during the construction works, there would be minor adverse effects on several factors due to an increase in traffic on the A831 Milton Road due to the high sensitivity of the receptor, which is affected by tourist traffic and people at home and work using the road.</p> <p>There would be a minor adverse effect on these same factors on the A831 Milton due to the high sensitivity of the receptor, which is affected by tourist traffic and people at home and work using the road.</p> <p>Mitigation measures are detailed in <b>Chapter 13</b>, but it is noted that these include:</p> <ul style="list-style-type: none"> <li>a CTMP to control road-going construction traffic travelling to and from the Proposed Development Site.</li> </ul>

Criteria	Commentary
	<ul style="list-style-type: none"> <li>a Workforce Traffic Management Plan to control the travel patterns of construction personnel, and they will be bused to and from the Temporary Workers Accommodation.</li> </ul>

7.2.97 The Proposed Development is considered to accord with Policy 67 of the HwLDP.

## Policy 72: Pollution

7.2.98 Proposals that may result in significant pollution such as noise, air, water, and light will only be approved where a detailed report on their levels, character, and transmission and receiving environment of the potential pollution is provided by the applicant to show how the pollution can be appropriately avoided and if necessary mitigated.

7.2.99 No significant air quality effects are expected since emissions to the air will be limited to construction plant and construction dust, both of which will be mitigated through good practice measures. It is anticipated that the preparation of dust management plans will be a requirement within the CEMP.

7.2.100 **Chapter 14: 'Noise and Vibration' (Volume 2: Main Report)** identifies no significant residual effects following the application of the mitigation. Mitigation measures will be detailed in a CEMP which will include site specific measures where necessary. The final design of the blasting requirements will be undertaken by a specialist blasting contractor to avoid vibration and air overpressure impacts as far as practicable.

7.2.101 At the operational stage, no significant effects have been identified. This is due to the distance between the Proposed Development, the depth of the power cavern (~500 m), noise sensitive receptors and embedded mitigation measures.

7.2.102 **Chapter 10: 'Water Environment' (Volume 2: Main Report)** assesses the potential pollution of water receptors during the construction and operation of the Proposed Development. Any potential pollution during construction would be managed through a Water Management Plan and a Water Quality and Flow Monitoring Plan resulting in no significant adverse effects on the water environment resulting from pollution.

7.2.103 In addition, **Chapter 11: 'Water Resources and Flood Risk' (Volume 2: Main Report)** details how an appropriate SuDS with pollution prevention measures would be implemented reducing the risk of pollution during the operation of the Proposed Development.

7.2.104 Given the above, the Proposed Development is considered to accord with Policy 72 HwLDP.

## Policy 77: Public Access

7.2.105 Policy 77 states that 'where a proposal affects a route included in a Core Paths Plan<sup>50</sup> or an access point to water or significantly affects wider access rights, then the Council will require it to either:

- Retain the existing path or water access point while maintaining or enhancing its amenity value; or
- Ensure alternative access provision that is no less attractive, is safe and convenient for public use and does not damage or disturb species or habitats'.

7.2.106 As set out in **Chapter 16: 'Socio-economics, Recreation and Tourism' (Volume 2: Main Report)** recreational users of the Affric Kintail Way, Core Paths 02.02 and 02.03 will be impacted at the pre-construction and construction stages. Meall Fuar–Mhonaidd summit route, the Great Glen Canoe Trail and the core paths on the east side of Loch Ness will be impacted at the construction stage.

7.2.107 The **outline Access Management Plan (Appendix 6.1, Volume 5: Appendices)** details measure to maintain access on recreational routes during construction. Information on construction activities and

<sup>50</sup> The Highland Council (2025) Core Paths Plan Interactive Map (Online) Available at: <https://highland.maps.arcgis.com/apps/webappviewer/index.html?id=2fd3fc9c72d545f7bcf1b43bf5c8445f>



access management measures would be displayed for recreational users on the project website and local community information boards. During the operation stage, impacts on Affric Kintail Way and sections of Core Paths 02.02 and 02.03 will be limited to impacts associated with the low levels of operation and maintenance traffic associated with the Proposed Development.

7.2.108 Following construction, access tracks around the Headpond will be retained to provide operational access around the site but will also be made available for recreational access.

7.2.109 Given the above, the Proposed Development is considered to accord with Policy 77 HwLDP.

## **Policy 78: Long Distance Routes**

7.2.110 Policy 78 seeks to safeguard and enhance long distance routes.

7.2.111 A section of the Affric Kintail Way follows the main access to the Proposed Development Site and will require widening and diversions to maintain recreational access.

7.2.112 A detailed Access Management Plan will be prepared to maintain safe and appropriate access on all recreational routes. This will include measures for the Affric Kintail Way and the Great Glen Canoe Trail is also located within the Proposed Development Site.

7.2.113 The Great Glen Way and Loch Ness 360 are within the Proposed Development Site, but where works intersect these routes they will occur below ground, and, as such will not impact on the recreational enjoyment of the route.

7.2.114 Given the above, the Proposed Development is considered to accord with Policy 78 of the HwLDP.



## 7.3 Inner Moray Firth Local Development Plan 2024

### Introduction

- 7.3.1 This Section provides a detailed assessment of the Proposed Development against the relevant policies contained within the Inner Moray Firth Local Development Plan 2024.

### Policy 2: Nature Protection, Restoration and Enhancement

- 7.3.2 This policy seeks to minimise the potential for adverse impacts on biodiversity, nature networks and the natural environment and promotes the enhancement of biodiversity.

- 7.3.3 It is noted that the Terrestrial Ecology, Ornithology and Aquatic Ecology assessments, **Chapters 7, 8 and 9**, identified a limited number of significant adverse effects. The limited number of significant effects reflects the consideration that been given to avoiding ecological constraints and minimising impacts on biodiversity, nature networks and the natural environment in the design development process.

- 7.3.4 Significant adverse effects on biodiversity post-mitigation are identified in the EIAR as follows:

- Permanent loss of montane scrub
- Permanent loss of blanket bog
- Permanent loss of ancient woodland
- Disturbance impacts on Golden eagle during construction

- 7.3.5 While significant adverse effects were identified in relation to montane scrub, ancient woodland and blanket bog pre-compensation, with compensation no significant effects would remain. These compensation measures are outlined below:

- The loss of montane scrub and ancient woodland during construction would be compensated during through the planting of 700 hectares of native woodland and montane scrub, including:
  - extensive Upland Birchwood supplemented by native Scots pine woodland;
  - riparian woodland along watercourses;
  - montane dwarf birch planting and regeneration zones, supplemented with juniper and Scots pine; and,
  - montane willow scrub planting and regeneration zone.

- 7.3.6 The loss of blanket bog would be compensated through (mainly off-site) blanket bog restoration in accordance with NatureScot's loss/compensation area ratio of 1:10, plus an additional 10% as enhancement.

- 7.3.7 A precautionary approach has been adopted in relation to Golden Eagle habitats and these effects may be less than anticipated. The associated displacement effects are temporary.

- 7.3.8 Ecological mitigation and compensation measures, together with enhancement measures, will be fully detailed in the **oLEMP (Appendix 6.4, Volume 5: Appendices)**. These measures not only mitigate the effects of the Proposed Development but also aim to provide biodiversity enhancements, and the final LEMP will be developed in consultation with relevant stakeholders' post-consent and prior to the commencement of the Proposed Development.

- 7.3.9 Given the above design considerations and mitigation measures, the Proposed Development is considered to accord with Policy 2 of the IMFLDP.

## Policy 3: Water and Wastewater Infrastructure Impacts in the Nairn and Inverness Areas

- 7.3.10 This policy requires all developments to connect to the public sewer (as defined in the Sewerage (Scotland) Act 1986<sup>51</sup>) and ensure no adverse impacts on the Moray Firth SAC, River Moriston SAC, Urquhart Bay Woods SAC and/or Loch Ashie SPA.
- 7.3.11 As detailed in **Chapter 10: 'Water Environment' (Volume 2: Main Report)**, a Detailed Drainage Strategy will be prepared during detailed design considering foul drainage for both the construction and operational phases. If possible, foul drainage will be connected to the public sewer. However, if this is not possible alternative options such as on-site treatment may be proposed. This would require suitable environmental assessment and authorisation from SEPA through the CAR process. The foul drainage systems would also need to be managed and maintained by a specialise waste management company for the life of the Proposed Development.
- 7.3.12 The Proposed Development would have no impact on Loch Ashie SPA.
- 7.3.13 **Chapter 7: 'Terrestrial Ecology' (Volume 2: Main Report)** sets out the impacts on Urquhart Bay Woods, Ness Woods and Loch Ruthven SACs. The assessment has found that impacts on qualifying features during pre-construction, construction and operation would result in a negligible adverse effect.
- 7.3.14 The River Moriston SAC is designated for Freshwater Pearl Mussel and Atlantic Salmon. As detailed in **Chapter 9: 'Aquatic Ecology' (Volume 2: Main Report)** there would be no impact on Freshwater Pearl Mussels; however, the Proposed Development would have a significant adverse effect on Atlantic Salmon due to fluctuating water levels prior to the introduction of mitigation measures.
- 7.3.15 Impacts to Atlantic Salmon within Loch Ness may reduce the availability of individuals within the Moray Firth to serve as prey items for marine mammals such as bottlenose dolphin and harbour seal. However, as the number of salmon migrating into the Moray Firth from the River Ness is already low and both bottlenose dolphin and harbour seal exhibit stable local populations which feed on a variety of prey items, indirect effects to marine mammals through impacts to prey species would be minor adverse prior to mitigation.
- 7.3.16 In addition, these impacts would be mitigated through the provision of a fish pass or fish passes which will be designed and installed on the proposed Dochfour Weir to facilitate and improve the upstream and downstream passage of migratory fish compared to the current sub-optimal situation. The fish pass(es) will be designed according to current best practice and would be subject to a separate planning application.
- 7.3.17 Following the introduction of mitigation the effect on the River Moriston and Moray Firth SACs would be not significant.
- 7.3.18 The **Statement to Inform Habitat Regulations Assessment (Appendix 7.2, Volume 5: Appendices)** provides additional information on the impacts on these European designated sites.
- 7.3.19 Given the above, the Proposed Development is considered to accord with Policy 3.

## 7.4 Highland Council Supplementary Planning Guidance

### Introduction

- 7.4.1 This Section provides a detailed assessment of the Proposed Development against the relevant Supplementary Planning Guidance.

<sup>51</sup> UK Parliament (1968) Sewerage (Scotland) Act 1968 (Online) Available at: <https://www.legislation.gov.uk/ukpga/1968/47>

## Sustainable Design Guide 2013

7.4.2 The Sustainable Design Guide requires that all developments should:

- Conserve and enhance the character of the Highland area;
- Use resources efficiently;
- Minimise the environmental impact of development;
- Enhance the viability of Highland communities.

7.4.3 **Chapter 3: 'Evolution of Design and Alternatives' (Volume 2: Main Report)** provides detail on the extensive design process the Proposed Development has undergone over several years and how design of the Proposed Development is based on a thorough understanding of the Proposed Development Site and its ecological context, gathered through desk-based assessments, fieldwork, and consultations.

7.4.4 As set out in EIAR, Volume 2 Main Report, the Proposed Development has been designed and sited to minimise impacts on key environmental resources resulting in mainly negligible to minor adverse effects on the environment.

7.4.5 Given the above, the Proposed Development is considered to accord with the Highland Council's Sustainable Design Guide.

## Physical Constraints Supplementary Guidance 2013

7.4.6 The Physical Constraints Supplementary Guidance identifies constraints that should be considered as part of the design development and mitigation.

7.4.7 **Table 7-4 Physical Constraints** below sets out the constraints and how these have been considered as part of the design development. More detailed information is provided in the EIAR.

**Table 7-4 Physical Constraints**

Constraints	Commentary
Within 15m of any water body or water dependant habitat identified in the Register of Protected Areas	The impact on protected areas identified for the Scotland River Basin District are considered in <b>Chapter 10: 'Water Environment'</b> . There would be no significant residual effects on the water environment as a result of the Proposed Development.
Hazards identified by the Health and Safety Executive	The Health and Safety Executive was consulted at scoping and no impacts were identified.
Defence installations	The Defence Infrastructure Organisation, were consulted at scoping and no impacts were identified.
Safeguarding of aerodromes	The Civil Aviation Authority and National Air Traffic Services were consulted at scoping and no impacts were identified.
Private water supplies	The impact on Private Water Supplies is considered in <b>Chapter 10: 'Water Environment'</b> . There would be no significant residual effects on the water environment, including private water supplies, as a result of the Proposed Development.
Designated airport safeguarding areas	Highland and Islands Airports Limited were consulted at scoping and no impacts were identified.
Within 400m of an active quarry	No active quarries have been identified within 400m of the Proposed Development.
Proven mineral reserves	No proven mineral reserves have been identified within the Proposed Development Site.
Poorly drained areas	<b>Chapter 11: 'Water Resources and Flood Risk'</b> identifies the potential for a negligible to minor adverse effect on flood risk during pre-construction and construction due to increased run-off, temporary water storage and dewatering activities.

Constraints	Commentary
	The construction and operational flood risks associated with the Proposed Development are discussed in detail in <b>Appendix 11.2: Flood Risk Assessment (Volume 5: Appendices)</b> .
Within 1000m of wind turbines	The Proposed Development is not within 1000m of wind turbines.
Within 150m of trunk/major road corridors	<b>Chapter 13: 'Access, Traffic and Transport'</b> assesses the impact of the Proposed Development on the road network including the A82, A831, A833 and the A887. The assessment concludes that there would be no significant adverse effects on the road network following the introduction of the CTMP. A Framework CTMP is provided in <b>Appendix 13.2 (Volume 5)</b>
ENA Standards 43-48: Overhead line clearance	There are no overhead lines within the Proposed Development Site, with a limited number of pole mounted distribution substations within the southeast and southwest sections of the Proposed Development Site, outwith working areas. Existing utilities are not currently considered to pose a constraint to the Proposed Development. The appointed construction contractor will be responsible for undertaking a full search of utilities within the Proposed Development Site prior to construction.
Railway infrastructure	The Proposed Development would have no impact on any existing railway infrastructure.
Trunk water mains	There are no trunk water mains within the Proposed Development Site.
Oil/Gas pipelines	There are no oil or gas pipelines within the Proposed Development Site.
Areas of excessive slope	The Proposed Development Site slopes from these peaks to the hills surrounding Loch Ness at around 300 m AOD, before a steep decline to between 15-40 m AOD at Loch Ness' shoreline. This is necessary for the efficiency of the Proposed Development. These slopes have been taken into consideration in the design of the Proposed Development as detailed in <b>Chapter 2: 'Project and Site Description'</b> .
Flood risk areas	<b>Chapter 11: 'Water Resources and Flood Risk'</b> identifies the potential for a negligible to minor adverse effects on flood risk during pre-construction and construction due to increased run-off, temporary water storage and dewatering activities. The flood risks associated with the operation stage of the Proposed Development are discussed in detail in Appendix 11.2: Flood Risk Assessment (Volume 5: Appendices).
Rights of way	<b>Impacts on access have been considered within Chapter 16: 'Socio-economics, Recreation and Tourism'</b> and measures to maintain safe access on all routes will be included in a detailed Access Management Plan. It is concluded that xxx
Within 20m of woodland	<b>Chapter 13: 'Forestry'</b> outlines that, in a worst-case scenario, 2.18 hectares of semi-natural woodland (mixed native broad-leaved woodland), including 0.78 hectares of Ancient Woodland and 8.32 hectares of commercial woodland would be lost. This will be mitigated as far as possible though minimising felling and compensatory planting.
New, existing or former waste management site	The Proposed Development would have no impact on new, existing or former waste management sites.
Other contaminated land	Aside from forestry use in the north, the Proposed Development Site is uninhabited and void of large intrusive or potential contaminating historical developments. It is therefore unlikely that the Proposed Development Site will contain contamination from other sources.
Within proximity of a sewerage treatment works	The Proposed Development is not located near a sewerage treatment works.
Transmitters	BT and Joint Radio Company were consulted at scoping and no impacts were identified.
Areas liable to erosion or subsidence	The Proposed Development is not located within an area liable to erosion or subsidence.

**Constraints****Commentary**

7.4.8 Given the above, the Proposed Development is considered to align with the Highland Council's Physical Constraints Supplementary Guidance.

7.4.9 The Proposed Development has taken the Highland Council's Physical Constraints Supplementary Guidance and the constraints set out in it into consideration during the design development.

## **Trees, Woodland and Development 2013**

7.4.10 This Supplementary Guidance provides further detail and information on Policy 51 Trees and Development of the HwLDP. The guidance identifies the main principles for protecting and managing trees and woodland in relation to new development and states that there is a strong presumption against development that affects inventoried woodland, designated woodland, or other important features.

7.4.11 **Chapter 13: 'Forestry' (Volume 2: Main Report)** outlines that, in a worst-case scenario, the EIAR anticipates the loss of 2.18 hectares of semi-natural woodland (mixed native broad-leaved woodland), including Ancient Woodland and 8.32 hectares of commercial woodland. However, the Applicant is committed to plant on-site the equivalent area of woodland as Compensatory Planting, meeting the Policy 51 objective of no net loss of woodland.

7.4.12 Given that the Proposed Development would result in the permanent loss of woodland, the Applicant is committed to plant on-site the equivalent area of woodland as Compensatory Planting, meeting the Scottish Government's Control of Woodland Removal Policy objective of no net loss of woodland. In addition to this, the Applicant is committed to planting an additional 677 hectares of woodland, as detailed in **Appendix 7.5 Biodiversity Net Gain (Volume 5: Appendices)**, will be provided as part of the overall Compensatory Planting strategy, which will not only compensate for the woodland loss but also contribute to the enhancement of biodiversity, carbon sequestration, and overall environmental value. This planting area is shown in **Figure 18.3: Mitigation Plan (Volume 3: Figures)**.

7.4.13 Given the above, the Proposed Development is considered to align with the Highland Council's Trees, Woodland and Development Supplementary Guidance.

## **Highland Historic Environment Strategy 2013**

7.4.14 The principles of the Highland Historic Environment Strategy ensure that developments take account of the historic environment. The strategy sets out strategic aims for the conservation, enhancement and preservation of the historic environment.

7.4.15 As detailed in **Chapter 12: 'Cultural Heritage' (Volume 2: Main Report)**, no physical impact to previously recorded archaeological remains are predicted from the pre-construction and enabling or construction phases. The baseline has also suggested that the potential for impacts on previously unrecorded assets is low due to the archaeological potential for the Proposed Development Site being low.

7.4.16 Potential impacts resulting from the operational phase consisted of impacts to the setting of Dùn Scriben Fort, as well as physical impacts on Urquhart Castle (SM90309) and Cherry Island Crannog (SM9762) resulting from the changes to the water level in Loch Ness. The assessment concluded that no significant effects would result from change to the setting of Dùn Scriben Fort as a result of the topography providing screening, as well as aspects such as the distance between the Proposed Development.

7.4.17 A review of data linked to water level changes in Loch Ness has also confirmed that potential waterlogged deposits at Urquhart Castle (SM90309) and Cherry Island Crannog (SM9762) will not be subject to dewatering due to the current lower water level not being exceeded.

7.4.18 Given the above, the Proposed Development is considered to align with the Highland Historic Environment Strategy and its strategic aims to avoid impacts on designated and non-designated heritage assets.

## Highland's Statutorily Protected Species 2013

- 7.4.19 The Highland's Statutorily Protected Species guidance advises establishing which biodiversity issues may be found on a particular site and how to address these issues. A Biodiversity Checklist for Protected Species on Development Sites is appended to the guidance and issues highlighted by the checklist relating to protected species should be addressed before submission of a planning application.
- 7.4.20 **Chapter 7: 'Terrestrial Ecology', Chapter 8: 'Ornithology' and Chapter 9: 'Aquatic Ecology' (Volume 2: Main Report)** provide an assessment of the impacts on protected species which accords with the checklist provided in Appendix 1 of the guidance.
- 7.4.21 As detailed in **Chapter 8: 'Ornithology'**, there would be adverse effects on the following protected species, pre-mitigation, during construction and operation: Slavonian Grebe, Red-throated Diver, Golden Eagle, Black Grouse, Dunlin, Greenshank and Golden Plover. Except for the disturbance to Golden Eagle, these impacts would be mitigated through work exclusion zones and blasting restrictions reducing all effects to not significant. The impacts on Golden Eagle would be temporary in nature during the construction phase.
- 7.4.22 As detailed in **Chapter 7: 'Terrestrial Ecology'**, there would be adverse effects on the following protected species, without compensation or enhancement, during pre-construction and construction: Otter; Water vole; Pine marten; and Terrestrial Invertebrates. These impacts would be mitigated through the creation of new habitats or enhancement of the existing habitats for the impacted species,
- 7.4.23 As detailed in **Chapter 9: 'Aquatic Ecology'**, adverse effects on the following protected species during pre-construction, construction and operation: Atlantic Salmon and Brown/Sea trout. These impacts would be mitigated through measures such as pre-construction fish surveys and an Ecological Clerk of Works to monitor construction work on site. During operation, a smolt screen and SuDS will be installed.
- 7.4.24 Given the above, the Proposed Development is considered to align with the Highland's Statutorily Protected Species guidance.

## Flood Risk and Drainage Impact 2013

- 7.4.25 Highland Council's Flood Risk and Drainage Impact guidance sets out how flooding and drainage should be considered as part of the design of any new development.
- 7.4.26 As detailed in **Chapter 11: 'Water Resources and Flood Risk' (Volume 2: Main Report)**, the Proposed Development flood risk and drainage design has been carried out in consultation with the Highland Council and SEPA and in line with guidance set by SEPA and the Highland Council including this supplementary guidance document.
- 7.4.27 Good practice drainage and water management measures are contained within **Appendix 10.4: Outline Water Management Plan (oWMP) (Volume 5: Appendices)**.
- 7.4.28 The assessment identifies the potential for adverse effects on flood risk during pre-construction, construction and operation. These risks would be mitigated through the CEMP (**Appendix 3.1, Volume 5: Appendices**) during the construction phases and through the high standard of design, management and maintenance during operation.
- 7.4.29 The construction and operational flood risks associated with the Proposed Development are discussed in detail in **Appendix 11.2: Flood Risk Assessment (Volume 5: Appendices)**.
- 7.4.30 The risk of flooding associated with the Headpond is considered to be high; however, due to the high standard of design, management and maintenance required under the Reservoir (Scotland) Act 2011 and provided by any responsible operator, the probability of occurrence is considered extremely remote, mitigating the impact to negligible.
- 7.4.31 Given the above, the Proposed Development is considered to align with the Highland Council's Flood Risk and Drainage Impact guidance.



## Biodiversity Enhancement Planning Guidance 2024

- 7.4.32 The Highland Council's Biodiversity Enhancement Planning Guidance aims to promote positive outcomes for biodiversity and fulfil the biodiversity requirements outlined in NPF4 Policy 3: Biodiversity. It emphasises the importance of implementing biodiversity enhancements on-site or near the Proposed Development area, ensuring that local communities benefit from these compensatory and enhancement measures.
- 7.4.33 The Biodiversity Enhancement Planning Guidance specifies that developments must achieve a minimum enhancement of 10%, with higher requirements for projects impacting locally protected areas, such as Ancient Woodlands and Local Nature Reserves
- 7.4.34 The following biodiversity enhancement measures have been included in the **oLEMP (Appendix 6.4, Volume 5)**:
- Enhancement of 55 hectares of ancient semi-natural birchwood, through protection from deer to encourage regeneration and recruitment which are currently lacking;
  - Provision of a deer-protected buffer for ancient semi-natural woodland regeneration;
  - Planting of 700 hectares of native woodland and montane scrub, including:
    - extensive Upland Birchwood supplemented by native Scots pine woodland (approximately 547 hectares);
    - riparian woodland along watercourses (approximately 24 hectares);
    - montane dwarf birch planting and regeneration zones, supplemented with juniper and Scots pine (approximately 24 hectares);
    - montane willow scrub planting and regeneration zone (approximately 27 hectares);
  - Reduction in deer density on retained open moorland (across approximately 59 km<sup>2</sup>) from 9.5 per km<sup>2</sup> at last count to 8.5 per km<sup>2</sup>;
  - Provision of three ponds suitable for emerald dragonflies, a local speciality; and,
  - Provision of suitable habitat for water voles to be translocated to from the Headpond.
- 7.4.35 The loss of blanket bog would be compensated through (mainly off-site) blanket bog restoration in accordance with NatureScot's loss/compensation area ratio of 1:10, plus an additional 10% as enhancement. Approximately 100 hectares of potential peatland restoration areas across 62 sites within the Balmacaan Estate within which the Proposed Development Site is located have been identified within the **oPMP (Appendix 7.6, Volume 5)**.
- 7.4.36 These enhancement measures are considered to significantly exceed the requirements for compensation alone and would be subject to the approval of NatureScot and other relevant statutory bodies. Biodiversity Net Gain calculations explained in **Appendix 7.5 Biodiversity Net Gain (Volume 5: Appendices)** indicate that the Proposed Development would achieve 12% net gain for area-based habitats and 10% net gain for watercourses.
- 7.4.37 Blanket bog is addressed separately in **Appendix 7.6 Outline PMP (Volume 5: Appendices)**, and the 10% enhancement above the 1:10 peatland lost:restored ratio is effectively additional to the aforementioned biodiversity net gains.

## 7.5 Local Community Plans

### Introduction

- 7.5.1 This section provides an assessment of the Proposed Development against the relevant LPP documents for Glen Urquhart, Fort Augustus and Glenmoriston, and Stratherrick and Foyers Community Councils.



## Draft Glen Urquhart LPP

- 7.5.2 The draft Glen Urquhart Community Council LPP 2024 - 2034 (Glen Urquhart Community Council, 2024) identifies key social, economic and environmental issues for the area as well as opportunities to improve land use and develop and manage existing assets/buildings/land “*actions to help make Glen Urquhart a better place to live in, work in and visit*”.
- 7.5.3 The Glen Urquhart Community Action Plan was published in March 2023. An action plan was developed to help achieve the primary outcomes identified by the community as being priorities. The priorities relevant to the Proposed Development are:
- A more active and sustainable community
  - A greener, fairer and more inclusive sustainable economy
  - Getting about the community (active travel)
  - A place that is nature-rich and climate-conscious

## Draft Fort Augustus and Glenmoriston LPP

- 7.5.4 The draft Fort Augustus and Glenmoriston LPP (Fort Augustus and Glenmoriston Community Council, 2024) sets four key ambitions
- Sustainable population
  - Local Living
  - Visitor management
  - Conserve nature
- 7.5.5 These ambitions are supported by identified priorities and actions. The following actions are relevant to the Proposed Development:
- Jobs and Business: “We need to diversify our economy beyond tourism, especially in Fort Augustus, and make it easier to start businesses and create jobs. This will contribute to our overall vision of a younger population demographic”.
  - Paths and Nature: “We are fortunate to live amongst spectacular scenery. Easy access to the great outdoors is vital for the visitor economy and for the health and wellbeing of the local community”.

## Stratherrick and Foyers LPP

- 7.5.6 The Stratherrick and Foyers LPP (Stratherrick and Foyers Community Council, 2023) sets a vision for a “*healthy, happy and prosperous community in line with planning policy objectives*” with the following actions related to the Proposed Development:
- Natural and built heritage: “Key elements of our natural and built heritage should be protected and enhanced in line with National Planning Framework 4”.

## LPP Assessment

- 7.5.7 The Proposed Development is considered to align with each of the three relevant LPP documents . The Proposed Development will support the transition to renewable energy and the diversification of The Highland Council area’s economy through the creation of construction and operational jobs.
- 7.5.8 The creation of long-term permanent jobs will support local services and contribute to maintaining local services and the long-term vitality of the community council areas challenged by an ageing population and seasonal economy.
- 7.5.9 Adverse impacts on the natural and built environment have been avoided, where practicable, through the design development process. A range of mitigation and compensation measures are proposed to minimise impacts on the natural environment, with significant biodiversity and woodland enhancements proposed, which will contribute to the environmental wellbeing of each community.

- 7.5.10 The importance of recreational routes has been recognised, and a detailed Access Management Plan will be prepared to ensure safe and appropriate access will be maintained for recreational users. The Proposed Development will also create new recreational opportunities on the Proposed Development Site.
- 7.5.11 The Applicant is committed to the delivery of socio-economic benefits for the local community. A **Socio-Economic Statement** has been prepared to demonstrate how the Proposed Development will maximise the net economic impact, including local and community socio-economic benefits of the Proposed Development, as per NPF4 Policy 11 (c). It also demonstrates how the Proposed Development will benefit the local community and contribute to the wellbeing of the Highlands, as required in the supporting text to HwLDP Policy 67 Renewable Energy Developments.

## 8 Conclusion

- 8.1.1 This Planning Statement demonstrates that national and local energy and planning policy supports the Proposed Development. This approach ensures that due regard has also been given to the categories set out in paragraph 3 of Schedule 9 to the Electricity Act, 'Preservation of amenity and fisheries: Scotland'.
- 8.1.2 This Planning Statement describes the Proposed Development (**Section 2**) including the significant biodiversity enhancement measures and the measures to maximise its economic impact. It also summarises the consultation undertaken to inform the design and environmental assessment (**Section 3**). **Section 4** sets out the route to consent for the Proposed Development.
- 8.1.3 Section 5 sets out the renewable energy benefits of the Proposed Development, including how PSH will support energy equity, environmental sustainability and energy security. It also provides an overview of the international, UK and Scottish energy policy context. It concludes that the Proposed Development will support the expansion of the renewable energy sector and contribute to Scotland's transition to a zero-carbon energy supply and as such supports the relevant energy policies.
- 8.1.4 **Section 6** sets the context of the Development Plan and its relevance to the Proposed Development. **Section 7** assesses the Proposed Development against the Development Plan, and it is concluded that the Proposed Development is supported by and in accordance with the relevant policies of NPF4, the HwLDP and the IMFLDP. It has assessed the Proposed Development against the policies of the Development Plan (NPF4, the HwLDP, the IMFLDP and relevant Supplementary Guidance), informed by the assessments within the EIAR.
- 8.1.5 A limited number of significant residual effects resulting from the Proposed Development have been identified within the EIAR and are considered within this Planning Statement. These effects relate to ornithology, landscape and visual impacts, the water environment, climate, and forestry. However, taking into account the nature of these effects, the proposed mitigation, compensation and enhancement measures, and the fact that the Proposed Development aligns with the broader policy objectives, it is not considered to result in any policy non-compliance with NPF4, the HwLDP, or the IMFLDP.
- 8.1.6 In the Scottish Ministers consideration of these effects, when determining the application, it should first be recognised that pumped storage hydro is a National Development. On that basis, the Proposed Development has in principle support from NPF4, as there is, in essence, a presumption in favour of development.
- 8.1.7 Significant weight should also be given to the renewable energy and GHG reduction benefits of the Proposed Development, as required by NPF4 Policies 1 and 11:
- NPF4 Policy 1 emphasises that 'significant weight will be given to the global climate and nature crises'.
  - NPF4 Policy 11 establishes in-principle support for renewable energy and states that 'significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on GHG emissions reduction targets', when considering the range of potential impacts of a renewable energy development.
- 8.1.8 Furthermore, the Proposed Development is considered to accord with LDP Policy 67 as it will make a significant contribution towards meeting renewable energy generation targets and deliver positive effects for the local and national economy.
- 8.1.9 The Applicant has had regard to the matters set out in Schedule 9 of the Electricity Act in respect of the desirability of preserving the natural beauty of the countryside, of conserving flora, fauna and geological and physiological features of special interest and of protecting sites, buildings and objects of architectural, historic, or archaeological interest and has sought to mitigate effects of the Proposed Development on these factors. These are all matters which have guided the evolution of the project through the design process and have informed the EIAR.

- 8.1.10 On the basis of the above, and taking account of the planning balance, the status of the Proposed Development as a National Development in NPF4, its significant benefits in terms of renewable energy generation and on greenhouse gas emissions reduction, along with its biodiversity enhancement and socio-economic benefits, then the Proposed Development clearly outweighs the limited significant residual effects identified in the EIAR.
- 8.1.11 Overall, the Proposed Development has had regard to the Schedule 9 considerations and taken account of the Development Plan and environmental considerations in its design and proposed mitigation, compensation and enhancement measures, and is therefore considered to be acceptable in planning terms. Accordingly, it is requested that Section 36 Consent and deemed planning permission for the Proposed Development be granted.

# Appendix A Development Plan Policies

## Relevant National Planning Framework 4 Policies

Policy	Policy Description
Policy 1: Tackling the climate and nature crises	<p>This policy aims to encourage, promote, and facilitate development that addresses the global climate emergency and nature crises.</p> <p>The wording of this policy puts significant weight towards approval of developments which will contribute to the fundamental aims of NPF4: to enable Scotland to achieve Net Zero by 2045 and to ensure the protection and enhancement of biodiversity.</p>
Policy 2: Climate mitigation and adaptation	<p>Policy 2 encourages, promotes, and facilitates development that minimises emissions and adapts to the current and future impacts of climate change.</p>
Policy 3: Biodiversity	<p>Policy 3 is intended to ensure that development will secure positive effects for biodiversity. This policy requires proposals to be based on an understanding of the existing characteristics of the site and its local, regional, and national ecological context prior to development to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.</p>
Policy 4: Natural Places	<p>Policy 4 aims to protect and enhance natural assets through nature-based solutions. It sets out that development which has an unacceptable impact on the natural environment will not be supported. This policy aims to protect European, national, and local environmental designations; protected species; and the integrity of nature conservation areas as well as local landscapes.</p>
Policy 5: Soils	<p>This policy aims to protect carbon-rich soils and Prime Agricultural Land, restore peatland, and minimise disturbance to soils.</p>
Policy 6: Forestry, Woodland, and Trees	<p>The objective of this policy is to safeguard and enhance forests, woodlands, and trees. Development proposals involving woodland removal will only be acceptable where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. In cases where woodland is removed, it is highly likely that compensatory planting will be required.</p>
Policy 7: Historic Assets and Places	<p>Policy 7 seeks to protect and enhance historic environment assets and places.</p>
Policy 10: Coastal Development	<p>Policy 10 ensures sustainable coastal development by preventing new protection needs, avoiding increased flooding or erosion risks, and considering long-term climate impacts. Coastal defences must use nature-based solutions and align with marine plans.</p>
Policy 11: Energy	<p>Policy 11 endorses renewable energy projects, provided they operate efficiently and address environmental and cumulative impacts adequately.</p> <p>This policy states that the planning system should support all forms of renewable energy development (including energy storage), and this should be balanced against potential impacts but weighed up against the contribution of the proposal to renewable energy generation targets.</p> <ul style="list-style-type: none"> <li>a) supports development proposals for all forms of renewable, low-carbon and zero emissions technologies.</li> <li>b) relates to wind farm developments.</li> <li>c) supports renewable energy development when it maximises net economic benefits, including local socio-economic advantages such as employment and supply chain opportunities.</li> <li>d) states that development proposals impacting on international or national designations will be assessed in relation to Policy 4.</li> <li>e) states that design and mitigation strategies will be required to address various impacts, including those on communities, landscape, public access, aviation, telecommunications, road traffic, the historic environment, hydrology, biodiversity, trees, decommissioning, site restoration, and cumulative impacts.</li> </ul> <p>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.</p>

Policy 12: Zero Waste	Policy 12 encourages sustainable waste management, focusing on reducing environmental impact, promoting recycling and reuse, and supporting waste infrastructure that aligns with circular economy and climate goals.
Policy 14: Design, Quality and Place	This policy aims to encourage, promote, and facilitate well designed development that makes successful places by taking a design-led approach. Development proposals should be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
Policy 22: Flood Risk and Water Management	Policy 22 aims to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding. Development proposals at risk of flooding will only be supported if they are for essential infrastructure, where the location is required for operational reasons.
Policy 23: Health and Safety	This policy aims to safeguard people, places, and the environment; promote safe development; and enhance health and well-being. It prohibits development with significant negative impacts on air quality or noise levels. Development should also consider suicide risk.
Policy 25: Community Wealth Building	Policy 25 encourages and promotes development proposals which contribute to local or regional community wealth building.



# Relevant Highland-wide Local Development Plan Policies

Policy	Policy Description
Policy 28: Sustainable Design	Proposed developments will be evaluated based on their impact on resources (like minerals, agricultural land, and habitats), and adherence to high-quality design standards that respect the local character. Developments must promote economic growth while minimising environmental harm. Projects are also expected to demonstrate energy efficiency and waste minimisation. If significant adverse impacts are likely, the Council may require impact assessments, applying the precautionary principle when risks are uncertain.
Policy 29: Design Quality and Place-Making	Proposals should respect the local landscape and visual quality of their surroundings.
Policy 30: Physical Constraints	This policy requires developers to assess whether their proposals fall within areas with physical constraints, as outlined in the Council's Physical Constraints Supplementary Guidance. If constraints are identified, developers must demonstrate how their proposals are compatible with these limitations or propose suitable mitigation measures.
Policy 51: Trees and Development	Policy 51 emphasises the Council's commitment to protecting existing hedges, trees, and woodland in and around development sites. It requires adequate separation between new developments and established trees, and where necessary, a woodland management plan to maintain existing resources. The Council encourages additional tree and hedge planting to compensate for any removals and enhance the development's setting.
Policy 52: Principle of Development in Woodland	This policy prioritises the protection of woodland resources. Proposals will only be supported if they provide clear public benefit, and woodland removal will typically require compensatory planting. Proposals will be evaluated in line with the Scottish Government's Policy on Control of Woodland Removal and the Highland Forest and Woodland Strategy.
Policy 55: Peat and Soils	Policy 55 requires development proposals to avoid unnecessary disturbance or degradation of peat and soils. Disturbance of peat will only be allowed if the social, environmental, or economic benefits outweigh the adverse effects. If developing on peat is unavoidable, a peatland management plan may be required to show how impacts will be minimised and mitigated.
Policy 57: Natural, Built and Cultural Heritage	Policy 57 outlines how development proposals will be assessed based on the importance and type of heritage features, ensuring protection across local, national and international levels.
Policy 58: Protected Species	This policy states that if there is reason to believe a protected species may be present on a development site, a survey must be conducted to confirm their presence and a mitigation plan may be required to minimise impacts. Development that adversely affects European Protected Species, protected bird species, or other protected animals and plants will only be permitted if there is no satisfactory alternative and it is necessary for public health, safety, or overriding public interest. Additionally, developments must avoid adverse disturbance to badgers and their setts, as protected under relevant legislation.
Policy 59: Other Important Species	This policy ensures that the Council considers the presence of and potential adverse effects of development proposals on important species not already covered by other protections or conservation designations. This involves species listed in Annexes II and V of the EC Habitats Directive, priority species from UK and Local Biodiversity Action Plans, and those on the Scottish Biodiversity List. The Council will apply conditions and agreements to avoid negative impacts on these species during development.
Policy 60: Other Important Habitats	This policy aims to protect key landscape features that are important for wildlife movement, such as linear habitats and "stepping stones" that support biodiversity (Article 10 Features). In assessing development proposals, the Council will consider the value of certain important habitats, including those listed in the EC Habitats Directive, UK and Local Biodiversity Action Plans, and the Scottish Biodiversity List. To prevent significant harm, conditions and agreements will be used, and where development is deemed necessary, appropriate mitigation or compensatory habitat creation will be required.
Policy 61: Landscape	This policy highlights that new developments should be designed to reflect the landscape characteristics and special qualities identified in the Landscape Character Assessment of the area in which they are proposed. This will include consideration of the appropriate scale, form,

pattern and construction materials, as well as the potential cumulative effect of developments where this may be an issue.

Policy 62: Geodiversity	This policy requires that development proposals that include measures to protect and enhance geodiversity interests of international, national and regional/local importance in the wider countryside, will be supported.
Policy 63: Water Environment	This policy notes that the Council will support proposals for development that do not compromise the objectives of the Water Framework Directive (2000/60/EC), aimed at the protection and improvement of Scotland's water environment. In assessing proposals, the Council will take into account the River Basin Management Plan for the Scotland River Basin District and associated Area Management Plans and supporting information on opportunities for improvements and constraints.
Policy 64: Food Risk	This policy ensures that development proposals avoid areas susceptible to flooding and promote sustainable flood management. Development proposals within or bordering medium to high flood risk areas, will need to demonstrate compliance with Scottish Planning Policy (SPP) (now replaced by NPF4) through the submission of suitable information which may take the form of a Flood Risk Assessment.
Policy 66: Surface Water Drainage	This policy requires that all proposed development must be drained by SuDS designed in accordance with The SuDS Manual (CIRIA C697) and, where appropriate, the Sewers for Scotland Manual 2nd Edition.
Policy 67: Renewable Energy Developments	This policy aims to ensure the siting of renewable energy development proposals should be well related to the source of the primary renewable resources that are needed for their operation. The Council will also consider: the contribution of the proposed development towards meeting renewable energy generation targets; and any positive or negative effects it is likely to have on the local and national economy.  The policy also requires renewable energy developments to have regard to specific environmental criteria.
Policy 72: Pollution	This policy notes that proposals that may result in significant pollution such as noise (including aircraft noise), air, water and light will only be approved where a detailed assessment report on the levels, character and transmission and receiving environment of the potential pollution is provided by the applicant to show how the pollution can be appropriately avoided and if necessary mitigated.
Policy 77: Public Access	This policy requires that where a proposal affects a route included in a Core Paths Plan or an access point to water, or significantly affects wider access rights, then The Council will require it to either: retain the existing path or water access point while maintaining or enhancing its amenity value; or ensure alternative access provision that is no less attractive, is safe and convenient for public use, and does not damage or disturb species or habitats.
Policy 78: Long Distance Routes	This policy aims to safeguard and seek to enhance long distance, and their settings.

