

Red John Pumped Storage Hydro Scheme

Appendix 4.1: Pre-Application
Advice Pack

ILI (Highlands PSH) Ltd.

November 2018

Any advice provided under this service is given on the basis of the professional opinion of the officer(s) concerned, based on the information provided and the planning policies and site constraints prevailing at the time, and any views expressed are not intended to prejudice the Council's determination of any subsequently formal planning application.

This pre-application advice has been specifically prepared for ILI Group Plc as the applicant and AECOM as the agent for the proposed development at Land 1230M NE of South Barn, Dores.

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Pre-Application Advice Pack

Reference No: 17/04043/PREAPP

Date Issued: 25/10/17

Confidentiality Requested: NO

1. Proposed Development

Pumped storage hydro scheme with an approximate capacity of 400MW.

2. Summary of Key Issues

This is a very challenging and complex proposal. A number of key issues have been raised by various consultees and these are listed in the report below. While it is accepted that a number of these issues involve a technical resolution that can perhaps be overcome, from a development management point of view, the greatest challenge will be the potential visual impact, not just from the immediate vicinity where it will be vital to make sure the new loch sits well, and looks as natural as possible, within the pattern of waterbodies in that area, but also from further afield, from across Loch Ness and the hills above it and also the A82 trunk road which is a key tourist route. If the visual impact can be addressed to the satisfaction of the planning authority along with all the technical and environmental issues raised, then it is likely that an application could be supported.

The key issues raised are as follows:

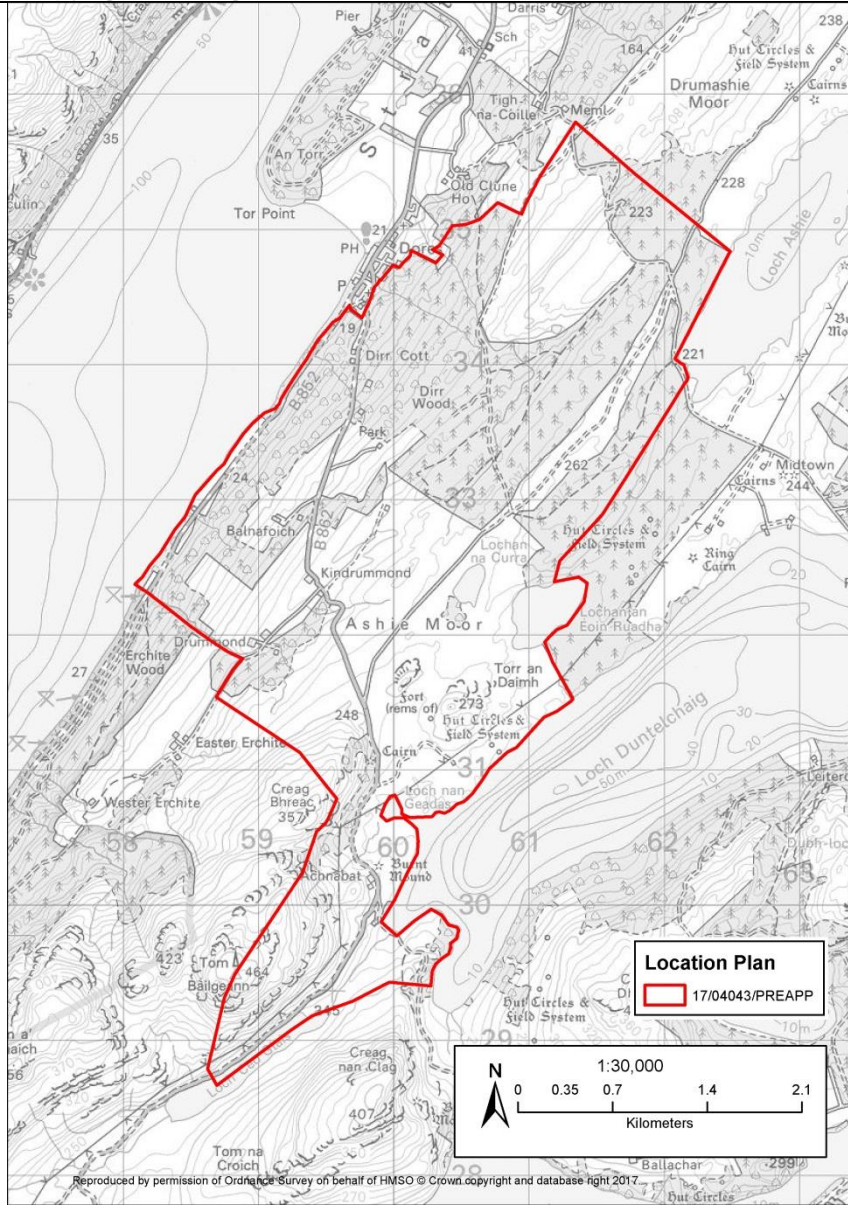
- Landscape and visual impacts for each aspect of the development including the positions scale and location of the turbines;
- Impacts on other designated sites within 10km of the proposed site;
- Impacts on protected species including bats, otters, wildcat, red squirrel, pine marten, water vole and badger;
- Impacts on birds;
- Impacts on peat;
- Where possible, minimise impact on existing woodland through careful design;
- Where possible, retain and protect trees/ woodlands around the site;
- Provide landscape plans to show how the site is to be planted with trees, shrubs, hedges etc;
- Detail what public benefits would be associated with the proposals;
- Detail what total area of tree cover would realistically need to be removed in order to accommodate all of the proposals;
- Detail how the area of woodland proposed to be removed would be adequately compensated for with an area of equivalent size and quality of woodland;
- The development proposal comprises a pumped hydro scheme consisting of headpond, tailpond, inlet/outlet, headrace, tailrace, power cavern and spillway.
- The proposal has the potential to directly impact on four scheduled monuments, within the site boundary. These are:
 - Caisteal an Dunriachaidh, fort 1520m N of Achnabat (SM 11817)
 - Achanabat, cairn 960m N of (SM 11799)
 - Achnabat, hut circle 1065m N of (SM 11828)
 - Achnabat, hut circle 815m NNE of (SM 11827)
- In addition, there are also a number of designated sites both inside and outwith the site boundary whose setting could be affected by the proposed works. In particular, in addition to the above sites and:
 - West Town, five hut circles 480m WSW of (SM 11813)
 - West Town, ring cairn 240m SW of (SM 11551)
 - Urquhart Castle (SM 90309 and Property in Care of Scottish Ministers)
- HES are particularly concerned about the potential setting impacts on Caisteal an Dunriachaidh, and the comments in the attached advice letter focus particularly on this site. Option A in particular is likely to cause significant issues relating to the historical importance of the site. In addition, the proposals may well have an impact on the setting of Urquhart Castle, despite

its distance from the development, as it has open and expansive views along Loch Ness;

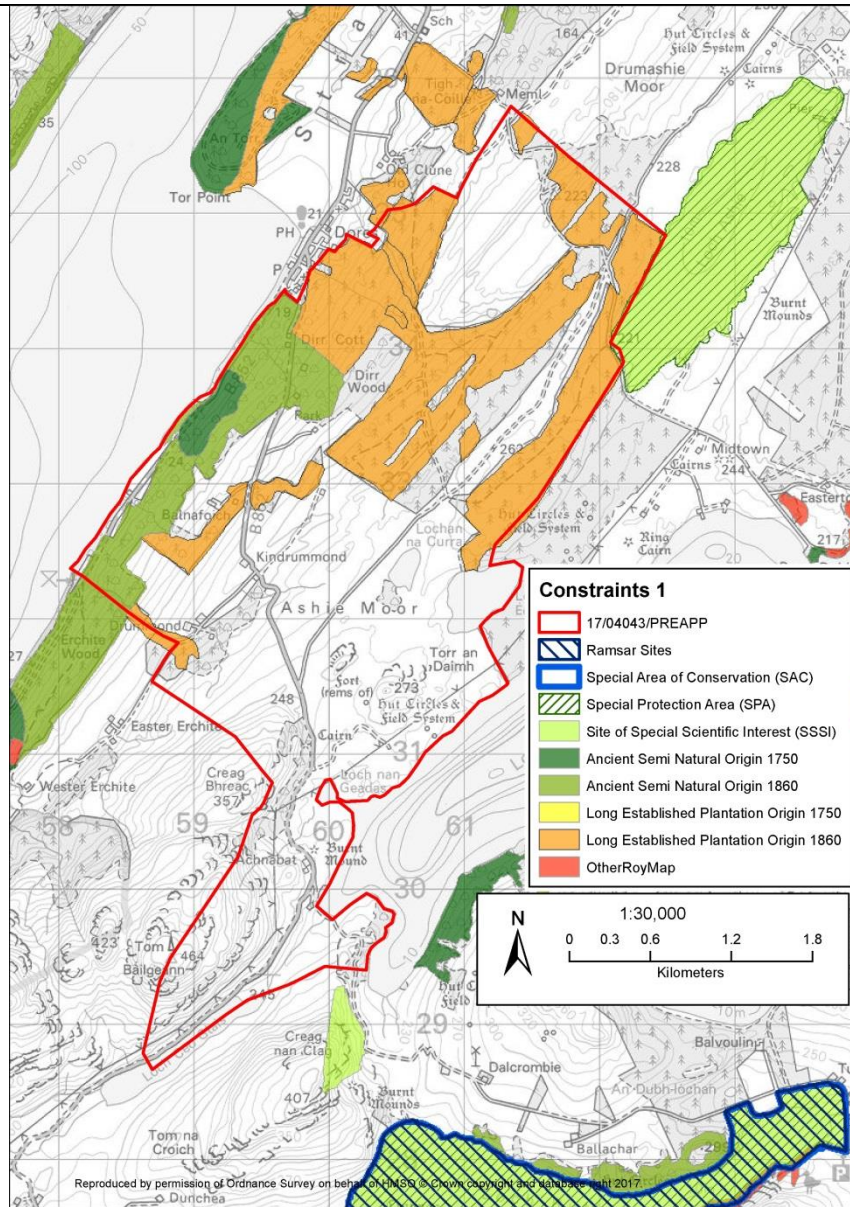
- There are many historic sites already recorded within the development area and the potential for further unrecorded sites to survive is high;
- Transport Assessment required;
- Access routes, including the abnormal load route, still need to be confirmed;
- The current points of access from the public road network are still to be finalised;
- Any re-routing of the C1064 will need a Road Construction Consent as well as planning permission;
- Section 96 Agreement and Road Bond;
- Presence of a small private waste tip at NGR: 258586 832373;
- Ensure that all outcomes of the Materials management Appraisal are also captured in the LVIA;
- Detail on post operational reinstatement/mitigation.

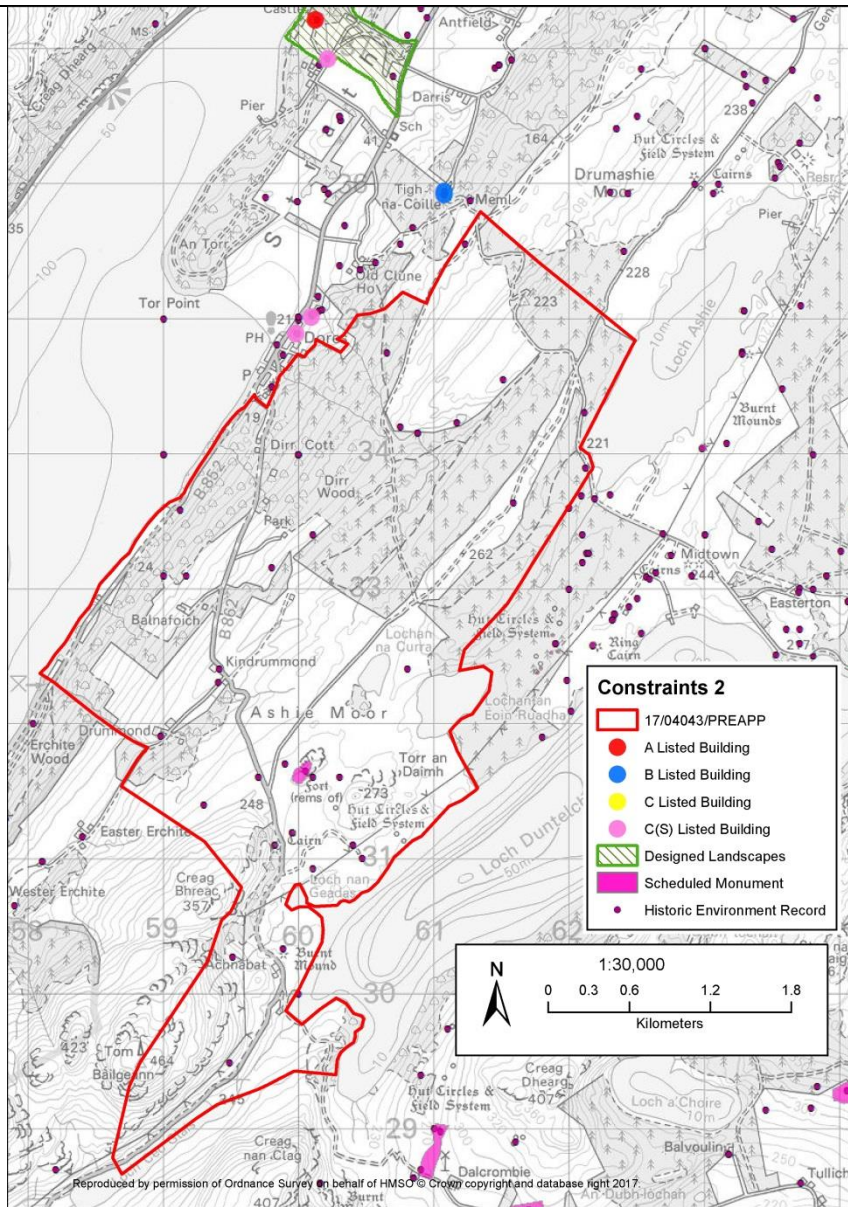
3. Background Information

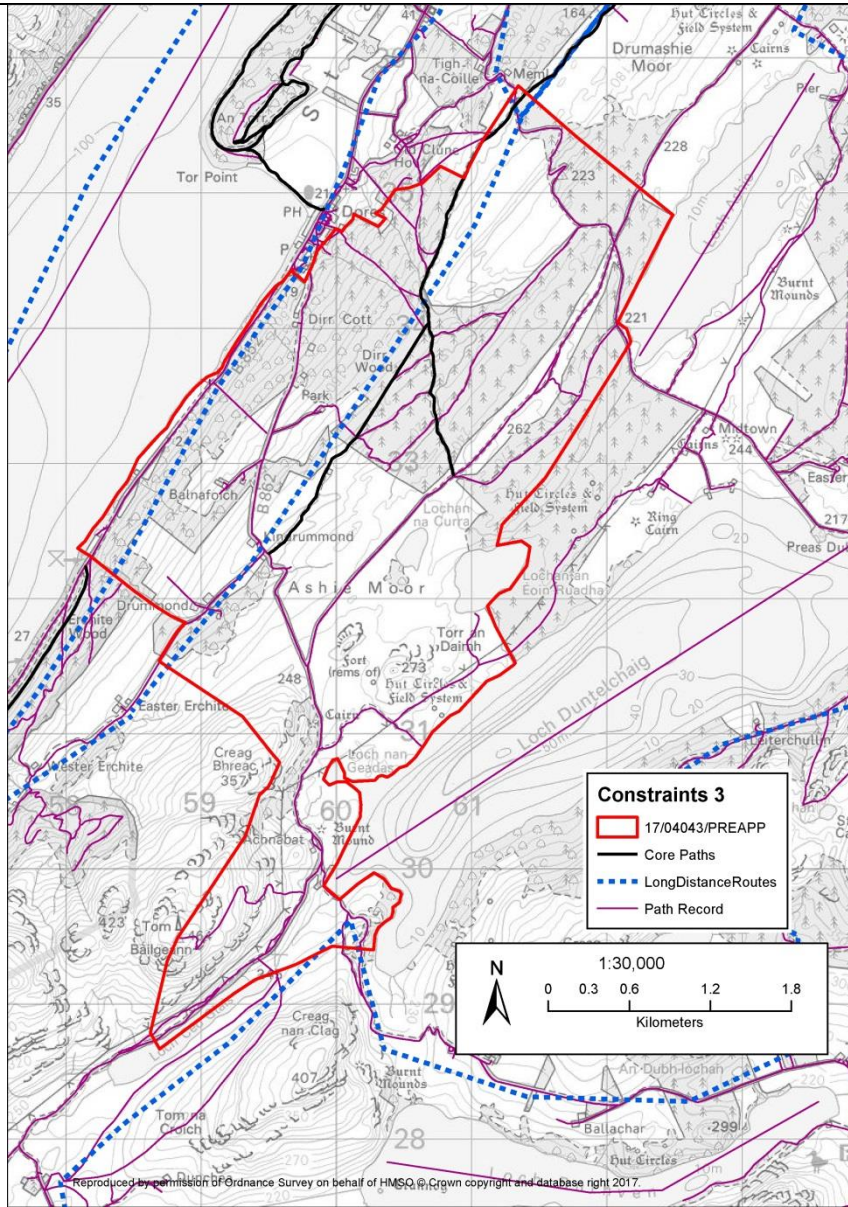
Site area	1332.56ha	
Land Ownership		
Existing Land Use(s)	Open Countryside	
Grid Reference	X: 260479	Y: 832999



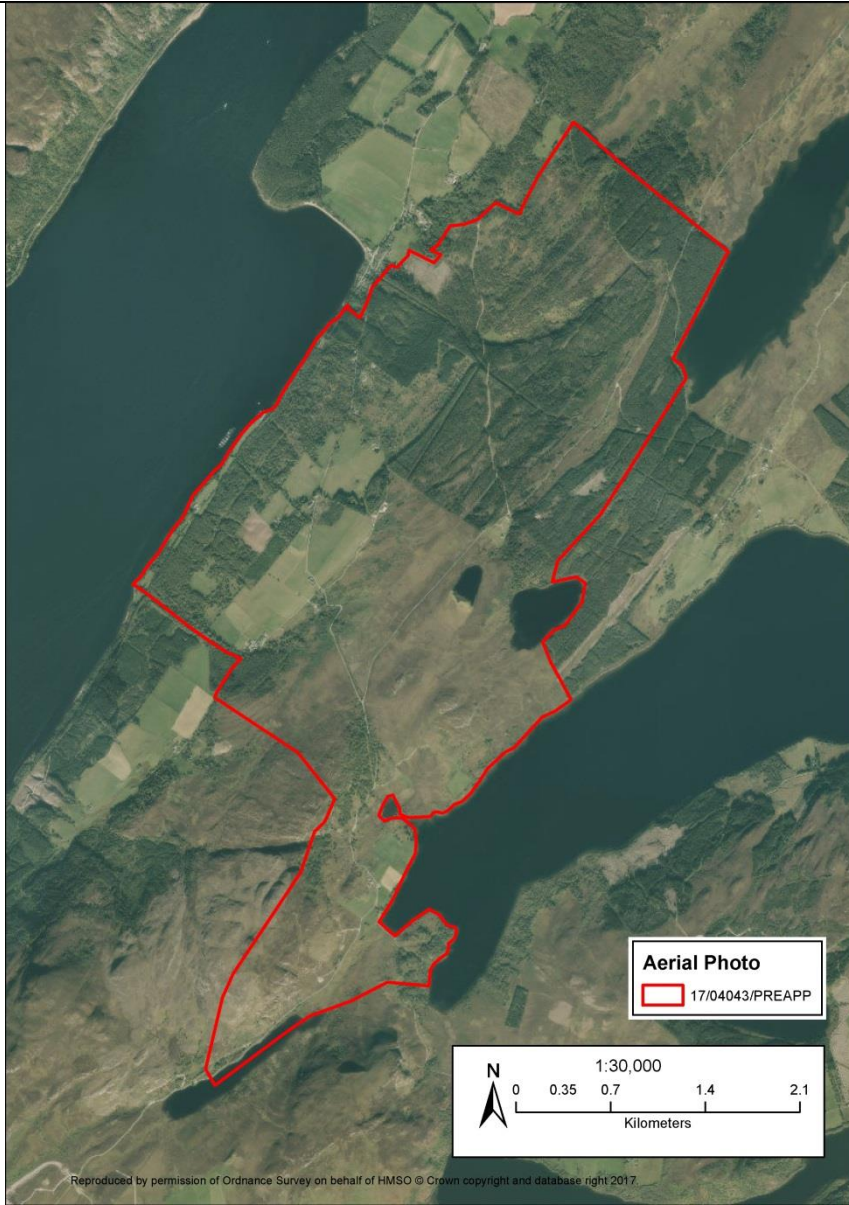
5. Constraints © Crown Copyright. All Rights Reserved. 100023369 2013







6. Photographs of site





7. Development Plan Designation and Planning Policy Appraisal

Response from Policy, Craig Baxter

The Development Plan comprises the [Highland-wide Local Development Plan](#) (HwLDP) (adopted 2012) and the [Inner Moray Firth Local Development Plan](#) (IMFLDP) (adopted 2015) as well as relevant supplementary guidance listed below.

It would be beneficial to provide more details of the likely volumes of rock that will be excavated as you progress your application. It would also be helpful to explain your intentions for reuse onsite (at the meeting you mentioned upgrading of core paths) and offsite; any storage requirements and any intended routes for disposal- this may include use of the Caledonian Canal and, if so, you should provide further information.

HwLDP: Policies most relevant to the proposal:

- *Policy 31: Developer Contributions* – sets out that the Council will seek contributions to offset the impacts of a proposal where it would result in a deficiency to public services and infrastructure. Contributions can be sought to address such deficiencies, for example, towards increased transport capacity.
- *Policy 51: Trees and Development & Policy 52: Principle of Development in Woodland* – set out the Council's support for proposals that safeguard existing woodland, but require applicants to demonstrate the capacity of the site to deliver development where woodland is present. Given that this proposal has the potential to create adverse impacts, with the presence of Ancient and Long Established woodland (please see the relevant constraints map), it will be essential to demonstrate how woodland is being

safeguarded and, where it is being removed, what provisions will be made for compensatory planting. Any proposed works should also have regard to Scottish Government's Control of Woodland Removal Policy. The response in this pack from the Forestry Team provides further detail on the issues around trees and woodland. Policy 51 includes reference to the [Trees, Woodland and Development Supplementary Guidance](#) which may be of relevance.

- *Policy 55: Peat and Soils* – requires applicants to demonstrate that their proposal will not cause unnecessary disturbance, degradation or erosion of peat and soils. This is particularly relevant in relation to the potential spoil disposal and dredging works described in the Draft Scoping Report submitted with the pre-application meeting request. There are pockets of Carbon Rich Soil, Deep Peat and Priority Peatland Habitat (Groups 1 and 3) as indicated in the [SNH Carbon and Peatland 2016 Map](#). As your proposals progress, you should ensure that appropriate assessment and mitigation of potential impacts on the peat and soil resource is identified. It is noted from the pre-application meeting that you are in the process of undertaking peat probing onsite.
- *Policy 57: Natural, Built and Cultural Heritage* – considers impacts on natural, built and cultural heritage designations and features. These are split into three categories of importance: international, national and local/regional. The following key features (shown on the constraints maps) will require survey work and assessments, in line with advice provided by the various Officers at the pre-application advice meeting, and included in this pack:
 - Loch Ashie SPA and SSSI
 - Loch Ruthven SAC, SPA, SSSI and Ramsar
 - Caisteal an Dunriachaidh Scheduled Monument within the site and several other Scheduled Monuments in proximity to the site
 - multiple [Historic Environment Records](#) within the site
 - Listed Buildings in proximity to the site
 - Aldourie Designed Landscape around 1 km NW of the site, Dochfour Designed Landscape around 3 km NW of the site
 - Loch Ness and Duntelchaig Special Landscape Area, described in the [Assessment of Highland Special Landscape Areas](#) (**whole site within SLA, not shown on constraints map**)
- *Policy 58: Protected Species* – safeguards European protected species and only supports development where an adverse effect is likely if there are other overriding interests. You should refer to the response from SNH for further detail about potential for impacts from the proposal on protected species.
- *Policy 61 Landscape* – sets out that development should reflect the character of the landscape and the special qualities identified in the relevant [Landscape Character Assessment](#). The LCAs are a starting point to base assessment of landscape and visual impact on. It is key to set out who the visual receptors of the development are, what the landscape impacts are and how these two factors relate. This proposal sits in a potentially sensitive landscape setting, being wholly within the Loch Ness and Duntelchaig Special Landscape Area. You should refer to the response from the Landscape Officer on key landscape considerations for this proposal. The Highland Council has [Visualisation Standards for Wind Energy Developments](#), these will be relevant to this proposal given the likely need to assess scale and distance in relation to the proposal.
- *Policy 63 Water Environment* – supports development that does not compromise the objectives of the Water Framework Directive. Assessment of this proposal will include how the proposal relates to the River Basin Management Plan for the Scotland River Basin District and, for this proposal, the North Highland River Basin Management Plan.
- *Policy 64 Flood Risk* – sets out the Council's expectations in regard to flood risk. This policy is highly likely to be relevant to the proposal. The Council's Flood Team and Scottish Environment Protection Agency responses in this pack provide further information as does the Council's [Flood Risk and Drainage Impact Assessment Supplementary Guidance](#).
- *Policy 67 Renewable Energy Developments* – supports proposals that contribute to meeting renewable energy generation targets. This support is subject to addressing important key issues and other criteria. The Council must be satisfied that the development is located, sited and designed in a way that will not be significantly detrimental to a number of considerations as set out in the Policy. This proposal has potential to make a considerable contribution to renewable energy generation. The [Onshore Wind](#)

[Energy Supplementary Guidance](#) includes a Landscape Appraisal for the Loch Ness area. Although this proposal is for pump storage hydro rather than onshore wind, there are likely to be elements of this study (e.g. Key Views, Routes and Gateways identified) that will be of relevance to Landscape and Visual Assessment of the proposal.

- *Policy 77 Public Access* – sets out the requirement for proposals that will affect a Core Path to retain the existing path or ensure suitable alternative provision. Drumashie Moor (IN12.05) and Kindrummond to Dirr Wood (IN12.04) Core Paths are within the site and the proposals will have to comply with this policy. The Policy also affords protection to the Public's wider access rights. There are several routes in the wider path network across the site and these should be taken into consideration. You should refer to the response from the Council's Access Officer for further detail.
- *Policy 78 Long Distance Routes* – safeguards long distance routes and seeks to enhance them and their setting. There are two on the site, the Trail of the Seven Lochs and the South Loch Ness Trail. You should refer to the response from the Council's Access Officer for further detail. The relevant Core Paths, Long Distance Routes and Wider Path Network Routes are shown in the relevant constraints map.

IMFLDP

The site is within the IMFLDP area, which includes the nearby settlement of Dores. However there are no directly relevant policies for this proposal, which will therefore be assessed against the HwLDP.

Highland-wide Local Development Plan Review

The Highland-wide Local Development Plan is currently under review, the Main Issues Report consultation closed in January 2016. The initial findings of this consultation were [presented to PDI Committee](#) in August 2016. A main issue identified within the report is Carbon Clever Energy which presents preferred and non-preferred approaches for changes to renewable energy policy. Given the likely timing of your proposals, you may wish to follow the review of this plan to keep updated. To read the Main Issues Report and track the progress of this Plan, see www.highland.gov.uk/hwldp

8. Sustainability

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

9. Natural Heritage

Impact on Natural Environment, Liz McLachlan, Scottish Natural Heritage

We are grateful to have received a draft copy of the scoping report which covers the main issues which we would expect to be included in the EIA and we will be able to provide full scoping comments in due course.

Key Points

- There are a number of invasive non-native species present in Loch Ness and we would expect the applicant to provide mitigation measures in any application to ensure the movement of these species exacerbated by this proposal. Further information on non-natives can be found on our website at <http://www.snh.gov.uk/protecting-scotlands-nature/nonnative-species/>
- Loch Ashie Special Protection Area (SPA) and Loch Ruthven SPA both designated for Slavonian grebe are in close proximity to the site consideration should be given to potential impacts on this species.
- An NVC survey should be undertaken of the whole development area not just priority habitats and the extent of habitat loss by type should be presented in the EIA Report.
- It appears that tree felling/woodland clearance will be required as part of the proposed development. We recommend that the applicant contacts Forestry Commission Scotland at an early a stage to discuss the Control of Woodland Removal Policy and the implications it may have on the development.

- 1 year of bird survey work should be sufficient

Key Points	Assessments to be carried out and/or submitted with application
Landscape and visual impacts	Guidance for undertaking Landscape and Visual Impact Assessment and cumulative impact assessments (including the newly revised visualisation standards required) can be found at: http://www.snh.gov.uk/planning-and-development/renewable-energy/onshore-wind/landscape-impacts-guidance/
Impacts on other designated sites within 10km of the proposed site	Information regarding the status and qualifying features of the site can be found at: http://www.snh.org.uk/snhi/ and information on assessing the connectivity distances for SPA's can be found at: http://www.snh.gov.uk/docs/A994842.pdf
Impacts on protected species including bats, otters, wildcat, red squirrel, pine marten, water vole and badger,	Surveys of European and nationally protected species and proposals for mitigation/enhancement. Further information on methods etc can be found on our website at: http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/
Impacts on birds	Bird survey work guidance can be found at: http://www.snh.gov.uk/planning-and-development/renewable-energy/onshore-wind/windfarm-impacts-on-birds-guidance/
Impacts on Peat etc	Our map and supporting guidance on Carbon rich soils, deep peat and priority peatland habitats http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/soils-and-development/cpp/

Impact on Trees, Grant Stuart, Forestry Team

Existing Trees/ Woodland

Within the red-line there are large areas of moorland; improved grassland; commercial conifer plantation (generally on the higher ground to the south-east) and areas of native broadleaf woodland (on the lower ground, closer to Loch Ness).

Policy

Policy 51 (Trees and Development) of the HwLDP states that 'The Council will support development which promotes significant protection to existing hedges, trees and woodlands on and around development sites. The acceptable developable area of a site is influenced by tree impact, and adequate separation distances will be required between established trees and any new development. Where appropriate a woodland management plan will be required to secure management of an existing resource'.

Policy 52 (Principle of Development in Woodland) of the HwLDP notes that 'The applicant is expected to demonstrate the need to develop a wooded site and to show that the site has capacity to accommodate the development. The Council will maintain a strong presumption in favour of protecting woodland resources. Development proposals will only be supported where they offer clear and significant public benefit. Where this involves woodland removal, compensatory planting will usually be required.

The majority of the commercial conifer areas are listed in the Ancient Woodland Inventory as long established plantation origin (LEPO1860) woodland. This is a feature of local/ regional importance in policy 57 of the Highland wide Local Development Plan where it is noted that Highland Council 'will allow

developments if it can be satisfactorily demonstrated that they will not have an unacceptable impact on the natural environment, amenity and heritage resource’.

The majority of the birch woodland areas are listed in the Ancient Woodland Inventory as Ancient semi-natural origin woodland (ASNO1750). This is listed as a feature of national importance in policy 57 of the Highland wide Local Development Plan where it is noted that Highland Council ‘will allow developments that can be shown not to compromise the natural environment, amenity and heritage resource’.

Section 194 (Policy Principles) of Scottish Planning Policy (June 2014) states that the planning system should....’protect and enhance ancient semi-natural woodland as an important and irreplaceable resource, together with other native or long-established woods, hedgerows and individual trees with high nature conservation or landscape value.’

If the proposals would result in the loss of more than 0.1ha of woodland, then the Control of Woodland Removal policy would apply. Section 218 of Scottish Planning Policy (June 2014) states that ‘The Scottish Government’s Control of Woodland Removal Policy includes a presumption in favour of protecting woodland. Removal should only be permitted where it would achieve significant and clearly defined additional public benefits. Where woodland is removed in association with development, developers will generally be expected to provide compensatory planting.’ If the proposals were to offer public benefit in economic, social or environmental terms then an equivalent area of equal or better quality woodland would need to be planted elsewhere.

Development Proposals

Some of the proposals, such as the indicative spoil disposal area, the spillway pipeline and associated temporary access track, would be roughly the same for either option and would have an impact on both commercial conifer plantation and native broadleaf woodland.

For Option A, the proposed headpond is largely centred on the existing lochan and would have minimal impact on woodland, but the associated spoil disposal area would remove an area of forestry of around 38ha.

Option B is proposed within a commercial forestry plantation and would require removal of a significant area of woodland.

Section 14 of the Scoping Report covers forestry and it sets out how the applicant intends to ‘integrate the proposed development into the existing woodland structure’, but there is in reality little opportunity for the development to integrate, it would be more a need for woodland removal to accommodate the development, particularly in Option B. The applicant should therefore design the scheme to avoid and/ or minimise woodland removal.

The scale of felling required would trigger the Scottish Government’s Control of Woodland Removal Policy and this is recognised in section 14 of the Scoping Report. The applicant will need to detail what public benefits would be associated with the proposals; detail what total area of woodland cover would realistically need to be removed and detail how the area of woodland proposed to be removed would be adequately compensated for with an area of equivalent size and quality of woodland. It is suggested that mitigation measures would include redesign of the existing woodlands, including, for example, the use of designed open space, alternative woodland types, changing the management intensity or the provision of compensatory planting on or off site. For the avoidance of doubt, compensatory planting would be required to adequately compensate for any woodland loss.

We are concerned by the scale of woodland removal proposed within ASNO1750 and LESNO1860 woodland and the rather vague commitment to compensatory planting where there would be woodland loss. We would also be concerned by the visual impact of the proposed felling, particularly at the edge of Loch Ness and around the B852 Dore – Foyers road.

Key Points	Assessments to be carried out and/or submitted with application
<ul style="list-style-type: none">• Where possible, minimise impact on existing woodland through careful design.	<ul style="list-style-type: none">• Tree Constraints Plan to BS:5837(2012)• Arboricultural Impact Assessment to BS:5837(2012)

- Where possible, retain and protect trees/ woodlands around the site.
- Provide landscape plans to show how the site is to be planted with trees, shrubs, hedges etc.
- Detail what public benefits would be associated with the proposals;
- Detail what total area of tree cover would realistically need to be removed in order to accommodate all of the proposals
- Detail how the area of woodland proposed to be removed would be adequately compensated for with an area of equivalent size and quality of woodland.

- Tree Protection Plan to BS:5837(2012)
- Landscape Planting Plan
- Compensatory Planting Plan

Impact on Landscape, Anne Cowling, Landscape Officer

The proposal outlines two Options, A and B which both include Headponds with banking rising above the existing ground level, Option A – to a max of 30.2m and Option B to a Max of 43m above existing, in addition to headrace, powerhouse, tailrace, spillway, access and other associated infrastructure

Whilst it is difficult to fully anticipate the likely effects of the development on the degree of information currently available, it is clear that for either option the headpond alone would be a significant intervention in the existing landscape.

The application site lies wholly within the Loch Ness and Duntelchaig Special Landscape Area, and as such, key characteristics, qualities and sensitivities are outlined in the ‘Assessment of Highland Special Landscape Areas’ found at https://www.highland.gov.uk/directory_record/712044/special_landscape_area_citations The most relevant passages are extracted below:

Overview

This area is dominated by the vast linear feature of Loch Ness and its dramatic landform trench, flanked by steep, towering wooded slopes that leads to undulating moorland ridges and a contrasting remote interior plateau of upland lochs, small woods and rocky knolls.

Key Landscape and Visual Characteristic

The striking, linear landform trench containing Loch Ness offers a dramatic sequence of landscape elements along its 23 mile length. The horizontal water’s surface combines with adjacent steep slopes to create a simple and distinctive profile of contrasting planes and edges.

To the east of Loch Ness an undulating moorland plateau characterised by rocky knolls and small-scale woods and forests, and peppered with upland lochs, creates an intricate landscape mosaic which contrasts strongly with the adjacent simple drama of the Great Glen.

Special Quality: Contrasting Intimate Plateau

An undulating moorland plateau of rocky knolls flanked by small-scale woods and forests, patches of pastures and sporadic farmsteads, and interspersed with a sequence of tranquil lochs, that creates an intimate mix of landscape elements of changing visual interest.

Sensitivity to change

Both sides of Loch Ness are sensitive to the introduction of built development which would intrude on views up and down the loch and also across the loch.

The area is sensitive to any development which would require significant modification to the landform of the Great Glen and surrounding moorland plateau. Not only could this be highly visible upon the glen sides slopes and affect the apparent bounding edge of the glen, but it could also affect the sense of openness and wildness within the moorland parts of this part of the SLA.

From these it is clear that the simplicity of the landscape composition of Loch Ness and the Great Glen is highly valued, as is the landscape around Loch Duntelchaig, for its own characteristics, for its contrast with the adjacent landscape of Loch Ness and for its contribution to views across the loch.

In addition to the SLA, the Headpond Options sit within the Flat Moorland Plateau with Woodland LCT, in proximity to Farmed and Wooded Foothills and the broad, Steep Sided Glen.

Key Characteristics of the LCTs are set out in the Landscape Character Assessment documents. In view of the nature of the earthworks required for the construction of the headponds, following aspects are highlighted.

Flat Moorland Plateau with Woodland:

- a predominantly horizontal skyline, with a general lack of features of known scale resulting in it being often difficult to determine distance or relative size.
- a simple landscape with little diversity and where it is often difficult to orientate oneself.
- a strong perception of remoteness.

Farmed and Wooded Foothills:

- typified by low rocky hills with complex and irregular landform of steep sided slopes, rocky ridges and peaks.
- generally open upper slopes - offering extensive and panoramic views which convey a sense of exposure.
- boundary with the Flat Moorland Plateau with Woodland area marked by conifer plantations.

Broad Steep Sided Glen:

- long even skylines create a very strong sense of linear enclosure

If it is to be possible to successfully integrate a headpond into the landscape and visual environment, a high degree of mitigation by design will have to be achieved.

Assessment of impact must include any impacts arising from the ‘realignment’ of the C1064.

The full extent of disturbance and excavation is difficult to determine from the information available, but as the applicants clearly understand all impacts arising from such works stand to be assessed for LVIA impacts.

The final form of the infrastructure required at the side of Loch Ness is also not fully clear, and a Visitor Centre is mooted within the presentation. And impacts from these stand to be assessed.

Post operationally it is indicated that the dam would stay in place. At first consideration this seems as though it would create an extraordinary landscape feature, so it will be useful to see what the decision process is that leads to retention of earthworks rather than reinstatement.

As discussed at the pre-application meeting consideration of Visual Receptors in terms of general visual amenity experienced by people in the round, rather than as a series of point locations is important and expected. See ‘Receptor Led VIA’ notes below.

Key Points	Assessments to be carried out and/or submitted with application
Ensure that all outcomes of the Materials management Appraisal are also captured in the LVIA Detail on post operational reinstatement/mitigation.	

Receptor-led VIA

GLVIA3 2.21 *Assessment of Visual Effects: assessing effects on specific views and on the general visual amenity experienced by people.*

GLVIA3 2.21 has two clear elements:

- effects on specific views
- effects on the general visual amenity experienced by people.

The Highland Council stance is that:

‘effects on specific views’ are effects experienced by receptors of views *from or to* landmark locations.

Judgement of value of views should take account of indicators such as those listed in GLVIA37. Eg.

- *relation to heritage assets*
- *planning designations*
- *appearance in guidebooks/tourist maps*
- *through references in literature and art*

Where views are from a landmark locations, *provision of facilities for their enjoyment eg parking and interpretive material* will also be an indicator. However where views are to the landmark no lack of value should be construed solely on the basis of absence of such features. By their nature landmarks may be appreciated for their constancy from a range of routes and locations, with no one spot being perceived as providing the essential view.

'effects on general visual amenity' are effects experienced across an area as receptors move through and within the landscape.

In practice, Visual Impact Assessments often focus on specific views with less emphasis on consideration of the general visual amenity experienced by people.

GLVIA3 is clear on the need to identify:

- areas of visibility
- groups of people affected and their susceptibility to change
- nature and scale of visual effect
- whether 'viewpoints' are representative, specific or illustrative

GLVIA3 6.3 Baseline studies for visual effects should establish, in more detail than is possible in the scoping stage, the area in which the development may be visible, the different groups of people who may experience views of the development, the viewpoints where they will be affected and the nature of the views at those points. Where possible it can also be useful to establish the approximate or relative number of different groups of people who will be affected by changes in views or visual amenity, while at the same time recognising that assessing visual effects is not a quantitative process.

Again we can break this down. Studies should establish:

- the area in which the development may be visible
- the different groups of people who may experience views of the development
- the viewpoints where they will be affected
- the nature of the views at those points
- the approximate or relative number of different groups of people who will be affected by changes in views or visual amenity,

At 6.16 GLVIA3 expands on viewpoints:

They may include:

- Public viewpoints, including areas of land and buildings providing public access...In Scotland a range of recognised paths also exists, while access rights apply to most land and inland water;
- Transport routes where there may be views from private vehicles and from different forms of public transport;
- Places where people work.

This confusion can be remedied by a 'receptor led' approach to VIA, which is still consistent with the spirit of GLVIA3

For each viewpoint which is illustrated in the Visual Impact Assessment, baseline information should be supplied on:

- whether it is intended to be Representative, Specific or Illustrative
- who the visual receptors are that would experience the effect, for each viewpoint
- their sensitivity to the change NB *GLVIA3 6.14 'People generally have differing responses to changes in views and visual amenity depending on the context (location, time of day, season, degree of exposure to views) and purpose for being in a particular place (for example recreation, residence or employment, or passing through on roads or by other modes of transport). During*

passage through the landscape, certain activities or locations may be specifically associated with the experience and enjoyment of the landscape, such as use of path, tourist or scenic routes and associated viewpoints'

- the nature of the effect they would be anticipated to experience at the viewpoint

We would encourage the developers and their consultants to think about visual impact in a layered way including:

- Experience of people as they move around the area
- Identification of any key valued views, recognising that these might be:
 - Views **from** key locations
 - Views **to** any key features

It is essential to recognise the difference between 'representative viewpoints' and 'specific viewpoints'. While GLVIA3 describes different types of viewpoints - representative, specific and illustrative – it then treats the viewpoints much the same for assessment purposes, treating each as a 'view'.

This approach can lead to an over-emphasis on a handful of locations and a failure to give due weight to the frequency, range and duration of exposure to effects which are experienced by receptors. Therefore we would encourage the assessors to retain emphasis and focus on categories of receptors, eg Tourists, Residents of various localities, local settlements etc in preference to the viewpoint locations. Consideration should be given to relative numbers of receptors within categories and their typical frequency of reception of impacts.

The Visual Impact Assessment report should not be an esoteric document which can only be deciphered by Landscape and Planning professionals. Any member of the public who may be affected should be able to recognise themselves in the receptor descriptions and understand what impacts they are likely to experience. The assessment should be Receptor-led in preference to Viewpoint-led.

Assessment of Cumulative Impacts should not be limited to quantifying visibility, but address relationship to, eg receptor and landform.

Box 1 of the SNH ASSESSING THE CUMULATIVE IMPACT OF ONSHORE WIND ENERGY DEVELOPMENTS makes clear that the individual composition of a view is key in assessing impacts. The first two examples both hinge on the relationship of developments to the landform.

As the SNH guidance states 'The cumulative effect of both developments taken together need not simply be the sum of the effect of A plus the effect of B; it may be more, or less.'

Generally

- Methodology for the Assessment: must make clear what thresholds are defined for significance of impact.
- Mitigation measures must be clearly identified and their effectiveness evaluated. This applies to all aspects of the development, including tracks borrowpits, compounds, control buildings, lay-down areas etc.
- Visualisations will be required to meet the most recent version of Highland Council Standard, available from the HC Website.

10. Design

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

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

- (i) explain the policy or approach adopted as to design and how any policies relating to design in the

- (ii) describe the steps taken to appraise the context of the development and demonstrates how the design of the development takes that context into account in relation to its proposed use.
- (iii) state what, if any, consultation has been undertaken on issues relating to the design principles and concepts that have been applied to the development; and what account has been taken of the outcome of any such consultation.

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

11. Amenity

Contaminated Land, Shirley Ross, Contaminated Land Team

Although there are no contaminated land issues which would be considered to affect the above proposed development, it is noted from historical maps that a small private tip (our Ref: IN-WDS-1003) is located at NGR: 258586 832373, which lies within the site boundary of the above planning application. As it is a private tip, we do not have any historical information as to what materials might have been disposed of here, however, it is thought that the tip has not been used in the last 20 years or so, and from aerial photographs the area is fully grown over.

No structures or buildings are planned near this area, and so it is not considered that any further information or action would be required for this planning application. However, the applicant should be made aware of the tips presence, should site plans change.

Key Points	Assessments to be carried out and/or submitted with application
<ul style="list-style-type: none"> • Presence of a small private waste tip at NGR: 258586 832373 	Applicant to be made aware of tips location. No further action required unless buildings/structures are planned to be constructed in this area.

Noise Impacts, Robin Fraser, Environmental Health

Construction Noise

Planning conditions are not used to control the impact of construction noise as similar powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974. However, where there is potential for disturbance from construction noise the application will need to include a noise assessment.

A construction noise assessment will be required in the following circumstances: -

- Where it is proposed to undertake work, which is audible at the curtilage of any noise sensitive property, out with the hours Mon-Fri 8am to 7pm; Sat 8am to 1pm
OR
- Where noise levels during the above periods are likely to exceed 75dB(A) for short term works or 55dB(A) for long term works. Both measurements to be taken as a 1hr LAeq at the curtilage of any noise sensitive receptor. (Generally, long term work is taken to be more than 6 months)

If an assessment is submitted it should be carried out in accordance with BS 5228-1:2009 "Code of practice for noise and vibration control on construction and open sites – Part 1: Noise". Details of any mitigation measures should be provided including proposed hours of operation.

Regardless of whether a construction noise assessment is required, it is expected that the developer/contractor will employ the best practicable means to reduce the impact of noise from construction activities. Attention should be given to construction traffic and the use of tonal reversing alarms.

Operational Noise

A noise assessment of the impact of operational noise on any noise sensitive locations will need to be carried out which demonstrates that either of the following standards can be met.

noise will not exceed NR 20 when measured or calculated within the bedroom of any noise-sensitive premises with windows open for ventilation purposes.

OR

the operating noise Rating level will not exceed the Background noise level by more than 5dB(A) including any characteristics penalty. Terms and measurements to be in accordance with BS 4142: 2014 Methods for Rating Industrial & Commercial Sound. The applicant's noise consultant should contact Environmental Health to agree the location of background monitoring.

Private Water Supplies

Highland Council has some records on private water supplies but these are not exhaustive. The developer will need to undertake a site survey to identify supplies that may be affected by this development and measures to mitigate against that impact.

Key Points	Assessments to be carried out and/or submitted with application
Construction Noise	Construction Noise Assessment (BS5228)
Operation Noise	Noise impact assessment

12. Transport and Wider Access**Impact on the Trunk Road Network, John McDonald, for Transport Scotland**

The proposed development comprises the development of a Pumped Storage Hydro scheme (PSH) of approximately 400MW installed electrical generation capacity on a site approximately 14km south-west of Inverness. The nearest trunk road to the site is the A9(T), located approximately 12km to the north-east.

An Environmental Impact Assessment (EIA) Scoping Report (SR) has been provided in support of the pre-app consultation which Transport Scotland was previously consulted upon. Comments were provided on the SR in a letter dated 11 September 2017. In this, we concluded that should the A9(T) be utilised for the transportation of quarried materials, an assessment of the potential environmental effects of construction traffic and transport on the trunk road receptors should be undertaken as part of the EIA.

Similarly, should the A9(T) be utilised for the transportation of quarried materials, the applicant will require to demonstrate that the trip generation and distribution of construction related traffic will not have an adverse operational effect on the trunk road and its junctions.

Key Points	Assessments to be carried out and/or submitted with application
400MW Pumped Storage Hydro Scheme	Potential for the A9(T) to be utilised for the transportation of quarried materials. Assessment of both environmental and traffic impacts of the potential effect of construction related traffic on the A9(T) to be provided.

Traffic and Transportation Impacts, Mark Clough, Transport Planning Team**Proposal Description**

The proposal as tabled was to construct a new hydro powered generation system from a newly constructed headpond adjacent to Loch Duntelchaig into Loch Ness. The exact position of the headpond and connecting piped system is still to be finalised, with two options put forward:

Option A – headpond built over two existing lochans, Loch na Curra and Lochan an Eoin Ruadha

Option B - headpond built on top of the existing C1064 away from the lochans

Option A appears to have the least impact on the existing adopted road network by avoiding the permanent realignment of the C1064. However, as set out in the following sections there are roads and transport issues with both options that will need resolving.

Access to the site is still being investigated, with consideration being given to using combinations of the following local roads in the area:

- B862 Dores Road
- B851 Errogie to Culloden Moor Road

- B861 Culduthel Road
- C1064 Inverness to Ashie Moor Road
- C1076 Loch Ashie to Brin Road
- C1068 Daviot to Dunlichity Road
- U1084 Darris Road

Traffic Impacts

We'd be looking for the traffic impacts of this development to be contained within a Transport Assessment (TA) supporting any Environmental Impact Assessment, with the principles of the scope covering that set out in the attached note and produced in accordance with the below linked Local Guidelines:

- [Roads and Transport Guidelines for New Developments](#) (Section 2.2)
- [Guidance on the Preparation of Transport Assessments](#)

The TA will need to come forward with preferred routing arrangements to and from the site and the assessment done on that basis. We'd be happy to comment on a scope for the TA once the routing arrangements have been established and a draft scope produced.

Cumulative impacts from other developments in the area will need to be taken account of within the TA. These should be identified within the TA Scoping and agreed with Highland Council prior to commencing the TA. This will again be dependent on which routing arrangements have been identified. Highland Council Planners would be best-placed to identify the developments that should be taken account of when establishing cumulative traffic impacts on the routes needed to access your site. This should include both developments on that preferred routing, plus any developments looking to also be using your preferred routing at the same time you will need it.

We agree with your assumptions that the likely largest traffic impacts from a development of this type will result during the construction and possibly decommissioning of the development, with operational traffic impacts likely to be low. However, we would expect the TA to identify the proposed routing and access arrangements for your site-related traffic during the operational phase, plus any mitigation needed on the road network to safely accommodate that traffic.

We note that a desktop exercise has been done that concluded Highland Council do not hold historic records of traffic data for the roads identified in the study area. To ensure this statement is correct, we recommend that contact is made with Gregor Otreba Grzegorz.Otreba@highland.gov.uk who will be able to clarify what data, if any, the Council holds for routes within the study area. The proposals for traffic data gathering to inform the TA should be set out and agreed through the TA scoping exercise.

Re. the statement about using 'Low' growth assumptions from NRTF, this should again be justified through the TA scoping exercise.

We welcome the statements about looking into opportunities for on-site batching and sourcing of materials needed for the build. If such approaches are possible, this should limit the amount of vehicle movements needed in and out of the site. However, it was not known at the time of presenting whether such approaches would be possible or whether the material being sourced on site would be suitable for re-use. If this information won't be known at the time of developing the TA, the assessment done will need to test the implications of different scenarios, including a worst case scenario that may be no excavated material being deemed suitable for re-use and needed to be taken off-site. The justification for the establishment of different scenarios for testing through the TA should be set out and justified in the scoping for the TA.

Vehicular Access

The routes identified as possible means of vehicular access to the site are popular tourist routes and provide key connections for communities east of Loch Ness. Although there have been some improvements in recent years, funded in part by contributions from other developments in the area, there are still sections of these routes that would struggle to accommodate large and heavy construction traffic, whilst also remaining safe for use by tourists and people from the local communities in the area. The condition of some of those roads is also poor and we'd want to ensure they remain safe and usable for all, both during their use by construction traffic and after the works had been completed. Once the routes for accessing this site have been identified, we'd expect the TA to identify the location, type and scale of any mitigation needed to allow them to be used for construction access purposes, whilst also keeping them safe and usable by others, including tourists.

Some of the routes identified are also included in the National Cycle Network Route 78, which the TA should take into consideration when assessing the impacts of this development on the transport networks in the area.

The B851, B861 and B862 are covered by the South Loch Ness Road Improvement Strategy that identifies aspirations for improving them going forward. Should the final proposals identify use of any of these routes for either construction or ongoing operational access purposes, we'd recommend that discussions are held with Council Officers involved in developing and delivering the South Loch Ness Road Improvement Strategy to identify the likely mitigation needed and possible methods for getting that mitigation delivered.

We welcome the proposals for off-road access tracks for the movement of plant and material linked with the works. This should help to limit the impacts of construction traffic on the local roads within the works area. We also welcome the suggestion of marshals being used to manage the points where construction traffic will cross the public road. However, we'll expect the TA to give some indication of what other traffic management arrangements will be used at these conflict points, such as signage, road markings, gating arrangements, proposals for keeping the public road clean and free of dirt and debris etc. For clarity, we would expect general priority of movement to be kept in favour of the public road and the traffic using those roads.

Depending on the scale of any mitigation works needed to the road networks proposed for accessing this site and their location with regards to the surrounding environment, it is possible that their impacts will also need to be considered in any environmental assessment undertaken. Certainly the need or not for any such assessment should be justified in any submission made.

One possible proposal that may require specific consideration in the EIA is if Option B comes forward requiring the realignment of the existing C1064. We would not support closure of that route until a suitably designed alternative was implemented and available for all road users. The standards for designing such a route would need to adhere with our published [Roads and Transport Guidelines for New Developments](#), with any proposals needing to be agreed through a formal Road Construction Consent application. Any designs should maintain the continuity of the C1064, avoiding the need to give-way when travelling along it, whilst also avoiding protracted re-routing and the creation of excessive gradients. This could involve changes to that shown towards the northern tie-in with the existing C1064.

It is likely that most improvements needed to the public road network to permit safe access to and from your site will be left in-place as lasting improvements for general users of those roads. However, should there be unacceptable safety, operational or maintenance issues with the implemented improvements, The Council may require them either to be removed or changes implemented once their need for construction purposes has ended.

With regards to the routing of abnormal loads, the TA will need to evaluate the appropriateness of the proposed route for moving such vehicles to and from the site, including any mitigation needed to accommodate their movement. This could include a full survey of the route and the provision of Trial Runs to prove the route is achievable and/or to establish the extent of works required to facilitate transportation.

Your proposed point(s) of access from the public road into the site will need to be identified in any submission made, together with sufficient justification for their adequacy to accommodate the likely types and volumes of traffic anticipated. We will be looking for dimensioned drawings showing the intended form of the junction(s) and the scale of any improvements needed to establish them.

Achievable clear visibility distances out of any access should be demonstrated and their adequacy justified, both in terms of the nature of public road they're taking access from and the prevailing speeds of traffic using that road. Any accesses should also take suitable steps to prevent surface water run-off or any loose material from the private access tracks, including mud and construction materials, from being brought onto the public road. Any gates on accesses should also be set back sufficiently to avoid a vehicle needing to wait in the public road.

It is likely that The Council will be seeking an agreement under Section 96 of the Roads (Scotland) Act to cover any potential extraordinary expenses in repairing local roads that may be damaged by vehicles associated with this development. We'll be looking for any such agreement to be supported by a suitable financial guarantee, usually in the form of a Road Bond, to cover the likely costs of such repairs.

Structures

Any changes needed to structures on the publicly adopted local road network to accommodate the proposed construction traffic for this development will need to go through the Councils' Technical Approval procedure as described within Section 3.1.7 of the current [Roads and Transport Guidelines for New Developments](#). These Guidelines recommend early engagement with The Councils' Structural Engineering Team to help ensure that all necessary approvals are in-place prior to works commencing. The point of contact is Norman Smart Norman.Smart@highland.gov.uk.

The document states that maximum embankment heights of both options for the headpond will be significant (30.2m for Option A and 43m for Option B). It is noted from the comments at the meeting that the designs and finished levels for the headpond are still to be finalised and may vary from that quoted. However, the likely scale of these features and their proximity to the C1064 public road (existing and realigned options) mean we'll want comfort that they've been adequately designed and their implementation will not change the ground conditions that support the C1064 (eg surcharging, changes to groundwater levels, new springs etc). These issues should be taken up with the Council Structures Team to determine what level of information they will need to be comfortable that the proposals will not adversely impact the public road network.

Transport Scotland should be approached about any impacts or alterations needed to structures on the Trunk Road Network.

Parking and Loading

All temporary and permanent parking provision or loading and unloading requirements for the construction and operation of this facility will need to be provided for off the publicly adopted local road network.

Given the scale of workforce anticipated at this site (up to 300 people at the busiest times), the TA should clarify the proposed location and scale of staff parking provision, justifying the adequacy of the proposed approach. This should include setting out any measures to manage staff movements to and from the site to limit the number of single occupancy vehicles needing access on a daily basis.

It is noted that the documentation provided refers to possible conversion of temporary compounds to permanent visitor centres for educational and tourism purposes. If such features are to form part of the application, the arrangements for accessing, servicing and parking at such facilities should be set out in the TA.

Construction Traffic Management Plan

A Framework Construction Traffic Management Plan should be provided in support of any application for planning permission, setting out how the construction activities of this development, including access to and from the site, will be managed to limit their impacts on other road users and the communities on the proposed access route(s).

We would expect the routing of construction traffic to wherever possible avoid existing communities such as Dores. Where this cannot be avoided, we would look for suitable traffic management arrangements to be established that avoid or limit any adverse impact on the day-to-day operation of those communities. Such measures should be set out in the Framework Construction Traffic Management Plan.

The Framework Construction Traffic Management Plan should also set out how feedback from local community groups will be sought and fed into the development and ongoing delivery of the Construction Traffic Management Plan.

Key Points	Assessments to be carried out and/or submitted with application
<ul style="list-style-type: none">• Transport Assessment required.• Access routes, including the abnormal load route, still need to be confirmed.• The current points of access from the public road network are still to be finalised.• Any re-routing of the C1064 will need a Road Construction Consent as well as	<ul style="list-style-type: none">• Transport Assessment.• Abnormal Load Route Assessment.• Framework Construction Traffic Management Plan.

planning permission.

- Section 96 Agreement and Road Bond.

Matters to be included in a Transport Assessment:

1. Identify all public roads affected by the development. In addition to transporting major turbine components, this should also include routes to be used by local suppliers and the workforce.
2. Set out the existing nature and condition of these public roads. This should include:
 - The road name and number, where applicable.
 - Road widths, including any pinch points.
 - The nature of their horizontal and vertical alignments, including any known steep gradients.
 - The location, size and condition of existing passing places on single track roads.
 - An assessment of the carriageway strength including, where necessary, construction depths and road formation where there is likely to be significant proposed impacts. This may include the need for non-destructive testing and sampling as required to determine the carriageway construction and strengthening work should be undertaken by a suitably capable and qualified consulting engineer acceptable to the Council.
 - The location and nature of any structures either spanning or supporting the roads, including a description of their nature (eg bridge, culvert etc), any width, height or weight restrictions and where necessary, an assessment of their load carrying capability. This work should be undertaken by a suitably capable & qualified consulting engineer acceptable to the Council.
 - The nature and quantum of properties serviced by the roads. In addition to the quantum of residential properties, specific recognition should be made of any schools, businesses or other community facilities serviced by these roads.
 - The nature and quantum of existing traffic flows on these roads, taking account of seasonal variations and tourism impacts. This should include reference to how often the roads are used by school or commercial bus services, refuse vehicles and whether the routes are used by pedestrians, cyclists and equestrians.
3. Identify the anticipated impacts from the proposed development, including any cumulative impacts from other developments likely to be happening at the same time as your development. These impacts should include:
 - The quantum of existing and new traffic impacting on these roads, including:
 - numbers of light and heavy vehicles
 - numbers of abnormal loads
 - profiles of anticipated new traffic movements throughout the duration of the works
 - Any impacts to existing carriageways, structures, verges or other aspects of these public roads. This should include information on swept paths and gradient analysis where it is envisaged that the passage of traffic could be problematic.
 - The location of any new or changes to existing accesses off these public roads to be used for accessing this development. This should include the extent of existing visibility from each of these accesses onto the public roads.
 - Any impacts or restrictions needing to be imposed on existing road users.
 - Any impacts or restrictions needing to be imposed on adjacent properties or local communities serviced by these public roads.
4. Set out the proposed mitigation measures needed to tackle the anticipated impacts set out above. This should include:
 - The location and nature of any carriageway widening or strengthening.
 - Visibility improvements at access points and along the public roads forming access routes.
 - The location and nature of any strengthening or widening needed to existing structures.
 - The provision of new or enhanced passing places on single track roads.
 - Road safety measures to manage the impacts of any identified road safety concerns.
 - Traffic management proposals for the construction and ongoing operation of the facility.
5. Any residual effects on the road network and its users following implementation of the proposed mitigation and any actions proposed associated with those residual effects.

Impacts on Public Access, Stewart Eastaugh, Access Officer

Policy 77 Public access and 78 Long Distance Routes of the Highland wide Local Development Plan will apply here. You would be delivering a project that will have a significant impact on core paths, wider paths network, broader public access rights and long distance trails supported by the Council during the 3-5 year construction period and in its operation.

That means that we will ask for an access management plan to be submitted with an application. The aim of that plan will be to identify and minimise any negative impact the proposal may have during construction and to maximise the benefits during operation. We will also ask that the plan illustrate benefits to long distance routes like the South Loch Ness Trail and Trail of the 7 Lochs.

The impact on public access is likely to be significant and the project's impact on it assessed. The assessment and mitigation measures should inform an access management plan.

Examples [this is not an exhaustive list and more research will be required by you] of impacts include:

- Severance of 2 core paths
- Severance and or loss of 3 parts of the wider paths network
- Shared use of tracks used as bridleways
- Severance of the South Loch Ness Trail, Trail of 7 Lochs and minor roads popular with cyclists
- Temporary and/or permanent loss of open water used for wild swimming
- Disturbance to areas used for climbing – Ashie Fort
- Visual impacts to users of the Great Glen Way at Abriachan
- Visual impacts to users of the paths around Abriachan
- Views from other nearby core paths and public rights of way.
- Loss of general access rights to areas of the countryside during construction

Because you will be affecting core paths you will need to think carefully about access management. Managing and accommodating continued public access along these routes is preferable to having to apply for successful stopping up orders.

The value of the long distance routes to the local economies also means that we will ask you to accommodate continued access along them.

When searching for a Principal Contractor it is wise to make the detailed access management requirements clear from the beginning. Additional tasks required of PC's after the fact will add costs.

Key Points	Assessments to be carried out and/or submitted with application
<ul style="list-style-type: none"> • Access management plan submitted with an application 	<ul style="list-style-type: none"> • Assess the construction and operation periods' landscape and physical impacts on public access using SNH Handbook on EIA [Appendix 5]

13. Water

Impact of Flooding, Zoe Smith, Flood Risk Management Team

The Highland Council Flood Risk Management Team has the following advice for the applicant at this stage. Please note we only comment upon water quantity issues, rather than water quality.

We have read the Scoping Report and have no further queries at this time; we are happy to review the EIA details relevant to the Flood Risk Management Team, including the Hydrological Assessment and Flood Risk Assessment (FRA), once available.

Any buildings, whether temporary or permanent should be located out with the flood plains of any watercourse; this will be determined through the FRA. It is acceptable for the essential infrastructure associated with the pumped storage hydro process to be located adjacent to local burns; otherwise, a buffer strip of 6m from top of both banks of any watercourse, i.e. 12m in total, should be left free from development in order to provide future access for maintenance purposes, uphold bank stability and protect ecological features. There should be no storage of materials, either temporary or permanent within this

buffer zone. Land raising within any flood plain should be avoided. If this cannot be achieved, further consultation with the Flood Risk Management Team will be required.

The access routes to the site may need to cross existing watercourses. Culverting of watercourses should be avoided unless there is no practical alternative. Any new or upgraded culverts or bridges should be adequately designed to accommodate the 1 in 200 year flows (including a 20% allowance for climate change) to avoid increasing the risk of flooding. Analysis of the impact of any proposed new bridges/crossings should be submitted for review.

We request that a Drainage Impact Assessment (DIA) is submitted at the first stage of planning. The DIA should include details relating to any existing drains and the management of surface water drainage which should be designed in line with general Sustainable Drainage Systems (SuDS) principles. The Applicant should demonstrate, within the proposals submitted, any mitigation measures to manage the residual risk of overland flow/pluvial flooding. The development should have a minimal impact upon the natural existing water environment.

Natural Flood Management Techniques should always be applied to manage the rate of runoff where possible.

Tracks should not act as preferential pathways for runoff and efforts should be made to retain the existing drainage network.

Appropriate drainage is required to restrict runoff from developed areas to pre-development rates and to minimise erosion to existing watercourses. The DIA should ensure that post development runoff rates into existing watercourses is no greater than pre-development runoff rate (i.e. greenfield runoff) for all return periods up to the 1 in 200 year event (including an allowance for Climate Change).

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

Please refer to the Supplementary Guidance: Flood Risk and Drainage Impact Assessment, available from the Highland Council website, for further detailed requirements for addressing flood risk and drainage.

Key Points	Assessments to be carried out and/or submitted with application
<ul style="list-style-type: none">FRA underwayDA to be submitted with planning application.	<ul style="list-style-type: none">FRADrainage Impact Assessment

Impacts on the Water Environment, Susan Haslam, SEPA

We have had useful early engagement with the developer and welcome the opportunity to provide advice on the submitted draft scoping report.

Our site specific advice is below; it includes comments on the draft scoping report and on the developing proposals. We ask that when formally consulted on the scoping report we be provided with a copy which highlights the amendments that have been made as a result of this early consultation process. In view of the proximity of the development to the public water supply we recommend you specifically consult Scottish Water on the proposals, if you have not done so already.

We have also provided our generic advice for scoping windfarm developments in the attached appendix.

1. Site specific comments

- 1.1 As a minor issue, only highlighted as we have been sent a draft copy of the scoping report, please note that SEPA is the Scottish Environment, not *Environmental, Protection Agency*.
- 1.2 In relation to section 1 of the attached Appendix (site layout):
 - It would be helpful if the scoping report also included plans which show above and below ground infrastructure separately.
 - At the meeting the developer asking for opinions on the two options currently put forward. We

have no definitive view on this. Based on the basic information available it would seem that Option B would be likely to have less effects on the water environment, however, we note that it may result in great excavations, which would result in greater effects on other aspects of the environment in which we have an interest.

- The assessment should specifically consider whether there are opportunities to minimise overall impacts from the development by collaborative working and sharing infrastructure with Scottish Water who also have existing and planned works in this area. The potential scoping for this could be outlined in the scoping report.
- For a development of this scale it is especially important to ensure that detailed layout plans submitted at the application stage are provided for all elements of the development. The plans submitted with the application must detail all the temporary or ancillary works such as laydown areas, rock and peat storage areas and site compounds, which we presume will be extensive for a development of this size.

1.3 In relation to section 2 of the attached Appendix (CAR requirements) and Section 3 and Appendix 6.1 of the draft scoping report:

- We are aware of the following invasive non-native species in the Ness catchment - Flatworm (*Phagocata woodworthi*), Freshwater shrimp (*Crangonyx pseudogracilis*) and Nuttall's Waterweed (*Elodea Nuttallii*).
- If option A is to be pursued then an assessment of the environmental significance of the loss of the two lochs and change in proposed catchment is required.

1.4 In relation to section 3 of the attached Appendix (other water impacts):

- We note that the existing access track from one of the compounds to the road through the forest requires upgrading. For the avoidance of doubt the assessment should provide information on the extent of all upgrading works.
- We note that access between the construction compounds and different work areas will change throughout the construction periods. The application should identify proposed corridors for these routes, taking into consideration local sensitivities.
- Detailed drawing of the potential temporary wharf in Loch Ness should be provided accompanied by an assessment of effects on the water body.

1.5 In relation to section 4 of the attached Appendix (peat):

- We welcome the proposal for a Peat Management Plan. All excavated peat must be re-used on site with no permanent storage or disposal allowed. Floating track should be used to reduce the volume of excavated peat.
- The Plan should consider proposals for peatland restoration works on the site, including for example, restoration of any redundant tracks or historic peat cuttings. Such works could also help compensate for loss of GWDTE.

1.6 In relation to section 5 (GWDTE) and Appendix 6.1 of the draft scoping report:

- We are generally content with the habitat survey proposals outlined in Appendix 6.1. We ask that the finalised scoping report includes a map showing of the Phase 1 habitat survey results and a plan showing the areas where NVC will be carried out. We can then provide a definitive view on this issue at the formal scoping stage.

1.7 In relation to section 8 of the attached appendix (borrow pits) and rock and overburden excavation generally as outlined in the scoping report:

- In view of the extensive volume of excavated material being produced we would not expect the development to include additional borrow pits, however it would be helpful if this was clarified in the scoping report.
- The information requirements outlined in section 8.2 of the appendix should be provided insofar as they are relevant to the excavation works proposed.
- The proposals outlined in section 2.5.6 and to some extent section 2.6.33 of the scoping report and related figures for a "soil disposal area" would not be acceptable as they would represent a licensable landfill operation. As a result they should be removed from the scoping report. However there will be a requirement for temporary material storage and as the land take for this is likely to be significant it would be useful to identify such areas at this stage. Storage locations should be as close to the excavated area as possible and avoid local sensitivities such as watercourses.

- We expect the application to be supported by an assessment of the amount of overburden and rock that will be generated and expected quality, based on intrusive site investigations. This should be accompanied by detailed proposals either for justifiable re-use on site (our preference) or use or disposal elsewhere. The application submission will need to include a detailed map of where and how rock or other material will be re-used on site, including volumes and depths. Any waste materials will need to be removed from the site and disposed of to a suitably licenced facility or made use of via a suitable waste management exemption.
- We understand that there may be significant transportation issues with removal of any of the material from the site so, although not an issue directly within our remit, we recommend that the assessment includes information on transport implications.

1.8 In relation to section 7 (forest waste) we are content that this information can be provided in the proposed Materials Management Appraisal.

1.9 In relation to section 9 (pollution) we can confirm that from our perspective an outline Construction Environmental Management Plan (CEMP), Waste Management Plan and Dust Management Plan need not be provided with the application. This is on the understanding that (1) the proposed Materials Management Appraisal will address all aspects of material management (minimisation, handling, processing, reuse on site, reuse off site and if required disposal) and any related waste management, (2) detailed site plans are submitted which demonstrate how impacts on the environment have been minimised through design and (3) all mitigation is detailed within a suitably robust schedule of mitigation. This approach will hopefully help streamline the overall information and assessment requirements.

1.10 Please see our website for further information above the **Reservoirs Act 2011**.

Appendix 1: Detailed scoping requirements

This appendix sets out our scoping information requirements. There may be opportunities to scope out some of the issues below depending on the site. Evidence must be provided in the submission to support why an issue is not relevant for this site in order **to avoid delay and potential objection**.

If there is a delay between scoping and the submission of the application then please refer to our website for our latest information requirements as they are regularly updated; current best practice must be followed. We would welcome the opportunity to comment on the draft submission. As we can process files of a maximum size of only 25MB the submission must be divided into appropriately named sections of less than 25MB each.

1. Site layout

1.1 All maps must be based on an adequate scale with which to assess the information. This could range from OS 1: 10,000 to a more detailed scale in more sensitive locations. Each of the maps below must detail all proposed upgraded, temporary and permanent site infrastructure. This includes all tracks, excavations, buildings, borrow pits, pipelines, cabling, site compounds, laydown areas, storage areas and any other built elements. Existing built infrastructure must be re-used or upgraded wherever possible. The layout should be designed to minimise the extent of new works on previously undisturbed ground. Cabling must be laid in ground already disturbed such as verges. A comparison of the environmental effects of alternative locations of infrastructure elements, such as tracks, may be required.

2. Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR)

2.1 The proposed hydro scheme will require an authorisation from us under CAR. It is likely that the CAR application will be subject to a derogation (exemption under the Water Framework Directive) assessment and third party consultation which could result in amendments to the scheme. We therefore encourage applicants to twin-track applications for consent under planning and CAR to ensure that CAR requirements can be accommodated more easily when proposals are at their most fluid.

2.2 Should the applicant choose not to twin-track their applications then the following details must be included in the planning submission to allow us to provide an indication of the potential consentability of the proposal under CAR:

- a) The location and design of the intakes and outfalls and their impact upon the morphology of the water environment.

- b) Compensation flow.
- c) Fish passages.
- d) Other relevant CAR or planning applications or consents for abstractions/hydro schemes.
- e) Sensitive water uses, water dependent species (including bryophytes) and ecosystems.

2.3 See [Planning guidance on hydropower developments](#) to assist in meeting these information requirements. More detailed guidance on CAR can be found on our [hydropower](#) web page.

3. Other impacts on the water environment

3.1 Other elements of the scheme must be designed to avoid impacts upon the water environment. Where activities such as watercourse crossings, watercourse diversions or other engineering activities in or impacting on the water environment cannot be avoided then the submission must include justification of this and a map showing:

- a) All proposed temporary or permanent infrastructure overlain with all lochs and watercourses.
- b) A buffer of at least 10m drawn around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse and drawings of what is proposed in terms of engineering works.
- c) Detailed layout of all proposed mitigation including all cut off drains, location, number and size of settlement ponds.

3.2 If water abstractions or dewatering are proposed, a table of volumes and timings of groundwater abstractions and related mitigation measures must be provided.

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

3.4 Refer to Appendix 2 of our [Standing Advice](#) for advice on flood risk. Watercourse crossings must be designed to accommodate the 0.5% Annual Exceedance Probability (AEP) flows, or information provided to justify smaller structures. If it is thought that the development could result in an increased risk of flooding to a nearby receptor then a Flood Risk Assessment must be submitted in support of the planning application. Our [Technical flood risk guidance for stakeholders](#) outlines the information we require to be submitted as part of a Flood Risk Assessment. Please also refer to [Controlled Activities Regulations \(CAR\) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities](#).

4. Disturbance and re-use of excavated peat and other carbon rich soils

4.1 Scottish Planning Policy states (Paragraph 205) that "Where peat and other carbon rich soils are present, applicants should assess the likely effects of development on carbon dioxide (CO₂) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO₂ to the atmosphere. Developments should aim to minimise this release."

4.2 The planning submission must a) demonstrate how the layout has been designed to minimise disturbance of peat and consequential release of CO₂ and b) outline the preventative/mitigation measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks, drainage channels, cable trenches, or the storage and re-use of excavated peat. There is often less environmental impact from localised temporary storage and reuse rather than movement to large central peat storage areas.

4.3 The submission must include:

- a) A detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's [Guidance on Developments on Peatland - Peatland Survey \(2017\)](#)) with all the built elements (including peat storage areas) overlain to demonstrate how the development avoids areas of deep peat and other sensitive receptors such as Groundwater Dependent Terrestrial Ecosystems.
- b) A table which details the quantities of acrotelmic, catotelmic and amorphous peat which will be excavated for each element and where it will be re-used during reinstatement. Details of the proposed widths and depths of peat to be re-used and how it will be kept wet permanently

must be included.

- 4.4 To avoid delay and potential objection proposals must be in accordance with [Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste](#) and our [Developments on Peat and Off-Site uses of Waste Peat](#).
- 4.5 Dependent upon the volumes of peat likely to be encountered and the scale of the development, applicants must consider whether a full Peat Management Plan (as detailed in the above guidance) is required or whether the above information would be best submitted as part of the schedule of mitigation.
- 4.6 Please note we do not validate carbon balance assessments except where requested to by Scottish Government in exceptional circumstances. Our advice on the minimisation of peat disturbance and peatland restoration may need to be taken into account when you consider such assessments.
- 5. Disruption to Groundwater Dependent Terrestrial Ecosystems (GWDTE)**
- 5.1 GWDTE are protected under the Water Framework Directive and therefore the layout and design of the development must avoid impact on such areas. The following information must be included in the submission:
- a) A map demonstrating that all GWDTE are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
 - b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all GWDTE affected.
- 5.2 Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice and the minimum information we require to be submitted.
- 6. Existing groundwater abstractions**
- 6.1 Excavations and other construction works can disrupt groundwater flow and impact on existing groundwater abstractions. The submission must include:
- a) A map demonstrating that all existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
 - b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all existing groundwater abstractions affected.
- 6.2 Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice on the minimum information we require to be submitted.
- 7. Forest removal and forest waste**
- 7.1 If tree felling is proposed the submission must include a map with the boundaries of where felling will take place and a description of what is proposed for this timber in accordance with [Use of Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS](#).
- 8. Borrow pits**
- 8.1 Scottish Planning Policy states (Paragraph 243) that “Borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries, they are time-limited; tied to a particular project and appropriate reclamation measures are in place.” The submission must provide sufficient information to address this policy statement.
- 8.2 In accordance with Paragraphs 52 to 57 of Planning Advice Note 50 [Controlling the Environmental Effects of Surface Mineral Workings](#) (PAN 50) a Site Management Plan should be submitted in support of any application. The following information should also be submitted for each borrow pit:
- a) A map showing the location, size, depths and dimensions.

- b) A map showing any stocks of rock, overburden, soils and temporary and permanent infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250 metres. You need to demonstrate that a site specific proportionate buffer can be achieved. On this map, a site-specific buffer must be drawn around each loch or watercourse proportionate to the depth of excavations and at least 10m from access tracks. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse, drawings of what is proposed in terms of engineering works.
- c) You need to provide a justification for the proposed location of borrow pits and evidence of the suitability of the material to be excavated for the proposed use, including any risk of pollution caused by degradation of the rock.
- d) A ground investigation report giving existing seasonally highest water table including sections showing the maximum area, depth and profile of working in relation to the water table.
- e) A site map showing cut-off drains, silt management devices and settlement lagoons to manage surface water and dewatering discharge. Cut-off drains must be installed to maximise diversion of water from entering quarry works.
- f) A site map showing proposed water abstractions with details of the volumes and timings of abstractions.
- g) A site map showing the location of pollution prevention measures such as spill kits, oil interceptors, drainage associated with welfare facilities, recycling and bin storage and vehicle washing areas. The drawing notes should include a commitment to check these daily.
- h) A site map showing where soils and overburden will be stored including details of the heights and dimensions of each store, how long the material will be stored for and how soils will be kept fit for restoration purposes. Where the development will result in the disturbance of peat or other carbon rich soils then the submission must also include a detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's [Guidance on Developments on Peatland - Peatland Survey \(2017\)](#)) with all the built elements and excavation areas overlain so it can clearly be seen how the development minimises disturbance of peat and the consequential release of CO₂.
- i) Sections and plans detailing how restoration will be progressed including the phasing, profiles, depths and types of material to be used.
- j) Details of how the rock will be processed in order to produce a grade of rock that will not cause siltation problems during its end use on tracks, trenches and other hardstanding.

9. **Pollution prevention and environmental management**

9.1 One of our key interests in relation to developments is pollution prevention measures during the periods of construction, operation, maintenance, demolition and restoration. A schedule of mitigation supported by the above site specific maps and plans must be submitted. These must include reference to best practice pollution prevention and construction techniques (for example, the maximum area to be stripped of soils at any one time) and regulatory requirements. They should set out the daily responsibilities of ECOWs, how site inspections will be recorded and acted upon and proposals for a planning monitoring enforcement officer. Please refer to [Guidance for Pollution Prevention \(GPPs\)](#).

10. **Decommissioning**

10.1 The submission must set out how decommissioning will be achieved should the proposed development be discontinued. The submission needs to demonstrate that there will be no discarding of materials that are likely to be classified as waste as any such proposals would be unacceptable under waste management licensing. Further guidance on this may be found in the document [Is it waste - Understanding the definition of waste](#).

10.2 The layout and the general principles for decommissioning must demonstrate waste minimisation

and compliance with the above waste regulatory position.

14. Built and Cultural Heritage

Impact on the Historic Environment, Kirsty Cameron, Historic Environment Team

Many features of historic environment interest, including designated sites, are currently recorded within the development boundary. In addition, survey work undertaken in recent years has resulted in the identification of many more sites. There remains the potential for further features or remains of prehistoric or later date to be present. There are a number of important archaeological remains, landscapes and features in the wider area that may have their setting adversely impacted by a development in the location proposed.

The Cultural Heritage chapter of the Environmental Statement will need to be undertaken by a professional and competent historic environment consultant. The ES chapter will need to follow Highland Council Standards for Archaeological Work, specifically Section 4 which deals with Environmental Statements and Section 3. The Standards are available at http://www.highland.gov.uk/downloads/file/1022/standards_for_archaeological_wok. The assessment will include a walkover survey of the development area (including any land required for associated infrastructure). The assessment will consider the potential direct impacts of the development to cultural heritage as well as indirect impacts. The indirect impact assessment must include a study of cumulative impacts. Where indirect impacts are predicted, these will be illustrated using photomontages.

Where impacts are unavoidable, HET expect proposed methods to mitigate this impact to be discussed in detail, including both physical (i.e. re-design) and where appropriate, compensatory/off-setting.

Key Points	Assessments to be carried out and/or submitted with application
There are many sites already recorded within the development area and the potential for further unrecorded sites to survive is high.	Cultural heritage will be rigorously assessed as part of any forthcoming Environmental Statement. A discussion of direct impacts will be supported by a full and detailed archaeological survey. Appropriate mitigation strategies will be formulated where adverse impacts are predicted.

Impact on the Historic Environment, Dr Mary MacLeod-Rivett, Historic Environment Scotland

We have considered the development proposal from our statutory remit. That is, world heritage sites, scheduled monuments, category A-listed buildings, gardens and designed landscapes and battlefields in their respective Inventories and Historic Marine Protected Areas. Our online portal includes information and GIS spatial downloads for these designations: <http://portal.historic-scotland.gov.uk/>

The proposal is for a large scale pumped hydro storage scheme, including wind turbines. We have previously commented on this proposal, to the Energy Consents Unit, on 14th September, 2017; the advice is summarised here, and a copy of the letter, to which you should refer, accompanies this response. Option B is our preferred design option.

Key Points	Assessments to be carried out and/or submitted with application
The development proposal comprises a pumped hydro scheme consisting of headpond, tailpond, inlet/outlet, headrace, tailrace, power cavern and spillway.	The applicant should include an assessment of impacts on the historic environment. For our interests, this should focus on:

<p>The proposal has the potential to directly impact four scheduled monuments, within the site boundary. These are:</p> <ul style="list-style-type: none"> • Caisteal an Dunriachaidh, fort 1520m N of Achnabat (SM 11817) • Achanabat, cairn 960m N of (SM 11799) • Achnabat, hut circle 1065m N of (SM 11828) • Achnabat, hut circle 815m NNE of (SM 11827) <p>In addition, there are also a number of designated sites both inside and outwith the site boundary whose setting could be affected by the proposed works. In particular, the above sites and:</p> <ul style="list-style-type: none"> • West Town, five hut circles 480m WSW of (SM 11813) • West Town, ring cairn 240m SW of (SM 11551) • Urquhart Castle (SM 90309 and Property in Care of Scottish Ministers) <p>We are particularly concerned about the potential setting impacts on Caisteal an Dunriachaidh, and the comments in the attached advice letter focus particularly on this site. In addition, the proposals may well have an impact on the setting of Urquhart Castle, despite its distance from the development, as it has open and expansive views along Loch Ness.</p>	<p>Within the site boundary:</p> <ul style="list-style-type: none"> • Caisteal an Dunriachaidh, fort 1520m N of Achnabat (SM 11817) • Achanabat, cairn 960m N of (SM 11799) • Achnabat, hut circle 1065m N of (SM 11828) • Achnabat, hut circle 815m NNE of (SM 11827) <p>Outwith the site boundary:</p> <ul style="list-style-type: none"> • West Town, five hut circles 480m WSW of (SM 11813) • West Town, ring cairn 240m SW of (SM 11551) • Urquhart Castle (SM 90309 and Property in Care of Scottish Ministers)
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Impact on the Historic Environment, Victoria Clements, Historic Environment Scotland

This response contains our comments for our historic environment interests. That is, scheduled monuments and their setting, category A listed buildings and their settings, World Heritage Sites, and gardens and designed landscapes and battlefields included in their respective inventories.

If you have not already done so, we recommend that you consult the relevant planning authority's archaeological and conservation services, who will also be able to comment on potential impacts on the historic environment. This may include heritage assets outwith our remit, such as category B and C listed buildings, and unscheduled archaeology.

Background

We understand that the development proposal would be for a pumped storage hydro scheme close to the north end of Loch Ness, between Loch Ness and Loch Duntelchaig. The scheme will comprise seven elements including a headpond, tailpond, inlet/outlet, headrace, tailrace, power cavern and spillway. We note that there are currently two options being considered for the headpond: Option A which would combine the two smaller lochs of Loch na Curra and Lochan an Eoin Ruadha into a headpond and Option B would create an entirely new headpond further to the north east.

Potential direct impacts

There are four scheduled monuments within the red line boundary for the scheme:

- Caisteal an Dunriachaidh, fort 1520m N of Achnabat (SM 11817)
- Achanabat, cairn 960m N of (SM 11799)
- Achnabat, hut circle 1065m N of (SM 11828)
- Achnabat, hut circle 815m NNE of (SM 11827)

From the information and figures submitted with the draft scoping report it appears that there will not be any direct physical impacts from the construction and operation of the proposed scheme. However, we note that the scoping report at section 9.4.1 states that there are likely to be significant physical impacts on all four scheduled monuments in both options A and B. It is not entirely clear to us at this stage why direct impacts are being predicted. Further comments are included in the attached annex.

Potential setting impacts

There are also a number of heritage assets within our remit in the vicinity of the proposed scheme whose

settings have the potential to be adversely impacted by it. The annex to this letter gives details of a number of assets which appear likely to experience impacts. This list should not be treated as exhaustive, and is only intended as a reference to those assets which at this stage appear most likely to be impacted.

The scoping report

We welcome that cultural heritage has been scoped into the environmental impact assessment (EIA). We are generally content with the overall methodology set out in the scoping report, however we do have a few comments to make. We note that section 9 of the scoping report refers to a 3km study area for assessing setting impacts, however there is no explanation of why this particular limit has been set and the ZTV's provided cut off at 5km so it is not possible to identify if sites beyond this point may potentially receive setting impacts. A fixed radius of search can miss sensitive assets at greater distances and we therefore recommend using a wider ZTV in the first instance to identify the potential for setting impacts.

We welcome that our Managing Change in the Historic Environment guidance note is included in the references at the end of Section 9 of the scoping report and we strongly recommend its use when assessing potential setting impacts.

There is no reference to any visualisations being provided to help support the assessments of impacts and effects. We strongly recommend that visualisations such as photomontages are provided to demonstrate the effects of the proposals on the setting of assets. Further detailed comments are provided in the attached annex.

General considerations

Our [website](#) provides general information on a number of issues the applicant may find helpful. This includes our role in the Environmental Impact Assessment (EIA) process, advice about pre-application consultations and general recommendations about the Scoping and Environmental Statement stages.

Annexe

Historic Environment Scotland consider that it may be possible to accommodate a pumped storage hydro scheme at this location but, based on the information provided so far, it appears that the proposals have the potential to raise significant concerns for our interests. There is the potential for significant adverse impacts on the setting of historic environment assets within the site and around it. In order to address these issues, amendments or alterations to the layout may be required, subject to information provided during the assessment.

The list below is not considered to be exhaustive, and we would recommend that a wider search is undertaken of the surrounding area for potential impacts in the first instance. It is important to note that some assets have settings that are particularly sensitive to impacts, and the likely sensitivity of the setting should be used to help determine which sites are assessed in more detail in the EIA Report.

Potential direct impacts

We note that section 9.4.1 of the scoping report suggests that there are likely to be significant physical impacts on all four of the scheduled monuments within the proposed development boundary from both Options A and B. As noted above it is not clear to us from the drawings and information provided at this stage as to how these direct physical impacts would occur.

From the drawings provided neither headpond for Option A nor B would appear to directly impact on any of the scheduled monuments, although we note the very close proximity of the headpond in Option A. The spillways, head and tailraces, power caverns, access tracks both temporary and permanent and construction compounds also do not appear to directly impact on any of the scheduled monuments. We would welcome clarification on the physical impacts which are being predicted in the scoping report and we are happy to discuss this matter in more detail at a meeting.

We would like to take this opportunity to note that any physical interventions within the scheduled areas of any of the scheduled monuments would be likely to require [scheduled monument consent](#) from Historic Environment Scotland. At this stage we can confirm that it is unlikely that scheduled monument consent would be granted for any works within the scheduled areas.

Potential setting impacts

There are a number of scheduled monuments both within the development boundary and in the surrounding area which may receive setting impacts from the proposed development. As noted above

this list is not exhaustive and a wide ZTV should be used in the first instance to identify assets which require further detailed assessment.

- Caisteal an Dunriachaidh, fort 1520m N of Achnabat (SM 11817)
- Achnabat, cairn 960m N of (SM 11799)
- Achnabat, hut circle 1065m N of (SM 11828)
- Achnabat, hut circle 815m NNE of (SM 11827)
- West Town, five hut circles 480m WSW of (SM 11813)
- West Town, ring cairn 240m SW of (SM 11551)
- Urquhart Castle (SM 90309 and Property in Care of Scottish Ministers)

Our key interest in this case is likely to be the potential setting impacts on the scheduled fort within the proposed development boundary and our comments below have focused on this asset.

Caisteal an Dunriachaidh, fort 1520m N of Achnabat (SM 11817)

This scheduled monument represents the remains of a fort of probable Iron Age date, defended by inner and outer stone ramparts which follow the top of the rocky ridge on which the fort is located on a NNE/SSW alignment. The fort commands the lower lying ground of Ashie Moor where extensive remains of prehistoric settlement have been identified. The fort is an obvious landmark on a high point in the surrounding low lying ground between Loch Duntelchaig and Loch Ness and commands extensive views outward in all directions over the relatively undeveloped landscape which forms a key characteristic of the setting of this monument. There are clear and uninterrupted views to the NE towards the two smaller lochs of Loch na Curra and Lochan an Eoin Ruadha and in the further distance the prehistoric settlement and funerary monuments near West Town (SM 11813 and 11551).

Option A

From the information and drawings provided so far, we have significant concerns over the proposed Option A for this pumped storage hydro scheme. The proposals to combine the two smaller lochs of Loch na Curra and Lochan an Eoin Ruadha into one larger headpond for the scheme would dramatically alter the topography and setting of the fort. Figure 2.3 indicates that the headpond for this option would be in very close proximity to the scheduled fort, within c. 300m of the asset. The information provided in the scoping report indicates that the embankment surrounding the headpond would be up to a maximum height of 30.2m above the existing ground level. This represents a substantial change to the topography of the landscape in very close proximity to the fort and would have a significant impact on the setting of the fort in this direction, radically changing the views outwards. Given that a key characteristic of the setting of the fort is the low lying/flat nature of the surrounding it, the development proposals comprising such a change in topography in such close proximity have the potential to have an adverse impact on the integrity of the setting of the monument. The size of the new headpond and the height of the embankment would potentially reduce our ability to understand, appreciate and experience the monument in its setting.

We therefore have significant concerns over the proposals for the scheme shown in Option A. We consider that Option A may lead to impacts on the setting of the monument which may impact on the integrity of that setting and therefore raise issues of national importance. It seems unlikely that it would be possible to substantially mitigate the level of impact to the setting of the fort from Option A. Should Option A be chosen to go forward in its current form it is possible that Historic Environment Scotland will object to the development. We would be happy to discuss this further if that would be helpful.

Option B

From the information and drawings provided at this stage Option B appears to be less likely to raise such significant impacts on the setting of this scheduled monument. The proposals shown in Option B are considerably further to the NE, over 1km from the monument on an area of ground which begins to rise up above the low lying ground surrounding the fort. The information provided indicates that the embankment required for this option would be higher than Option A, at up to 43m above existing ground level. The location of the new headpond at this greater distance and on ground which does not form part of the low-lying/flat Ashie Moor suggests that the impacts to the setting of the scheduled fort would be lesser than the impacts from Option A. We consider that it is likely that there will still be impacts to the setting from Option B which would need to be assessed in the EIA Report, however we consider that it may be possible to accommodate this option for the scheme without significantly reducing the ability to understand, appreciate and experience the monument in its setting.

Visualisations

We would strongly recommend that visualisations are provided to demonstrate the impacts of the proposed development on the setting of the scheduled fort. Visualisations, including photomontages, should demonstrate both the views from the fort towards the development and from the surrounding area showing both the fort and the development in the same view to demonstrate the impacts on views towards the fort in its setting. We would be happy to be involved in further discussions regarding visualisations if this would be helpful.

Urquhart Castle (SM 90309 and Property in Care)

Urquhart Castle lies on the opposite shore of Loch Ness, around 5.5km from the red line boundary of the development. We note that this scheduled monument currently lies outwith the 3km study area proposed and beyond the 5km ZTVs provided with the scoping report. Urquhart Castle has an expansive setting given its location on the edge of Loch Ness and it is not currently clear whether the proposed development will be visible from the castle. Given the scale of the development proposals and that some elements of the scheme will be located on the edge of Loch Ness, including the potential substation, we recommend that consideration should be given to potential setting impacts on Urquhart Castle. Should significant impacts be identified we would recommend that visualisations are provided to support the assessment.

Other scheduled monuments

There are a number of other scheduled monuments in the area surrounding the proposed development, including those listed above. It is not clear from the information provided at this stage whether or not either of the options for the proposed scheme would be likely to have significant impacts on the setting of these assets. We therefore recommend that they are assessed to determine whether significant setting impacts are likely. Should significant impacts be identified we suggest that any assessment in the EIA Report should also be accompanied by visualisations to demonstrate the level of impacts.

Summary

We note that there are currently two options being considered for the proposed pumped storage hydro scheme. Historic Environment Scotland considers it likely that Option A will raise significant concerns for the impacts to the integrity of the setting of Caisteal an Dunriachaidh, fort 1520m N of Achnabat (SM 11817). It seems likely from the information provided so far that Option B will not raise concerns over the integrity of the setting of this monument. We therefore recommend that Option B is the preferred option for our remit. We would be happy to meet with the developer to discuss these matters further.

Historic Environment Scotland

14 September 2017

15. Developer Contributions

The responses included in this pack identify a range of potential mitigation measures that are likely to be required. Where the Council has infrastructure projects serving this area, contributions may be necessary to advance or amend Council projects. In this regard, developer contributions may be necessary, particularly with regard to secure improvements to the local road network.

16. Pre-application Procedures/Guidance

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

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

- Involvement
- Support
- Planning
- Methods

- Working together
- Sharing information
- Working with others
- Improvement
- Feedback
- Monitoring and evaluation

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

Design Review Panels

The purpose of design review panels are to raise the quality of the built environment by securing well designed places and buildings that respect and contribute positively to their settings, promote aspiration and a sense of belonging and use resources sensibly. The Highland Council facilitates a Design Review Panel for major and locally significant developments in Inverness providing timely, well-reasoned, constructive design advice in the run-up to submission of a planning application.

Architecture and Design Scotland

Architecture and Design Scotland is the national champion for good architecture and sustainable place making. Their primary focus is on development of national importance and/or strategic significance but they also consider other projects that raise design issues of wider relevance. Two forums of direct engagement are offered by Architecture and Design Scotland, Design Forum Workshops and written scoping responses. The forum comprises an Architecture and Design Scotland Design Advisor and independent panel members that represent a broad variety of design and development professionals, all of whom have a thorough understanding of design and track record of achievement.

Processing Agreements

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

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

Proposal of Application Notice

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 require that for any major development of 2 hectares or more pre-application consultation must be undertaken. This requires a formal Proposal of Application Notice to be submitted to the Planning Authority at least 12 weeks prior to any formal planning application being lodged and any subsequent planning application must be accompanied by a Pre-application Community Consultation report. Further information is provided on the Council website, see:

<http://www.highland.gov.uk/yourenvironment/planning/pre-application-advice/statutory-preapplication-consultation.htm>

Environmental Impact Assessment Screening

The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 requires that installations designed to produce more than 0.5 megawatts for hydroelectric energy production must be screened to determine whether an Environmental Impact Assessment (EIA) is required to support a planning application. This proposal therefore requires to be screened. A formal request for a Screening Opinion/s should be made in writing to the Planning Authority. An EIA Screening Opinion form can be

downloaded from the Councils website by following the link below. At present it is not possible to do this online.

<http://www.highland.gov.uk/yourenvironment/planning/planningapplications/applyforplanningpermission.htm>

Community Councils

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

<http://www.highland.gov.uk/livinghere/communitiesandorganisations/communitycouncils/>

Access

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

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

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

Councillors Code of Conduct

It would be beneficial for you to be familiar with the Councillors' Code of Conduct. This is available online [from the Scottish Government's website](#).

17. Any other appropriate information

Gaelic

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

For further information and guidance, please contact the Council's Gaelic Translation Officer on (01463) 724287 or visit <http://www.gaidhealtachd.gov.uk>.

To download a copy of the Council's 'Using Gaelic in Signs' advice note, please visit:

<http://www.highland.gov.uk/yourenvironment/planning/planningapplications/Adviceandguidance.htm>.

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

18. Contacts

Major Applications Team Planning and Development Service Council Headquarters Glenurquhart Road Inverness IV3 5NX	E-mail majorpreapps@highland.gov.uk	Phone 01463 702506
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Highland Council

Contact	Email	Phone
Nicola Drummond, Area Manager South and Major Applications	Nicola.drummond@highland.gov.uk	01463 785027
Shirley Ross, Scientific Officer, Contaminated Land	shirley.ross@highland.gov.uk	01463 228745
Zoe Smith, Flood Team	Zoe.smith@highland.gov.uk	01349 868800
Kirsty Cameron, Archaeologist, Historic	Kirsty.cameron@highland.gov.uk	01463 702504

Environment		
Mark Clough, Senior Engineer, Transport Planning	Mark.clough@highland.gov.uk	01463 252940
Grant Stuart, Forestry Officer	Grant.stuart@highland.gov.uk	01463 702403
Robin Fraser, Environmental Health	Robin.fraser@highland.gov.uk	01349 868445
Stewart Eastaugh, Access Officer	Stewart.Eastaugh@highland.gov.uk	01463 255287
Craig Baxter, Planner, Policy	Craig.baxter@highland.gov.uk	01463 702264
Anne Cowling, Landscape Officer	Anne.cowling@highland.gov.uk	01463 702509
Outside Agencies		
Liz McLachlan, Area Officer, SNH	liz.mclachlan@snh.gov.uk	01349 865333
John McDonald, Transport Scotland	John.mcdonald@transportscotland.gsi.gov.uk	0141 2727386
Dr Mary MacLeod Rivett, Historic Environment Scotland	Mary.MacLeod@hes.scot	0131 668 8688
Victoria Clements Senior Heritage Management Officer, Historic Environment Scotland	Victoria.clements@hes.scot	0131 668 8730
Susan Haslam, SEPA	Planning.Dingwall@sepa.org.uk	01349 860359

Planning Application Submission Checklist

If there is a tick next to one of the following documents then we will require you to submit it along with your application for planning permission. If you choose not to follow our advice and do not submit one of the required documents then we will expect a justification for this. A form for this which should be submitted with your application is available to download from <http://www.highland.gov.uk/>

Natural Heritage	Landscape and Visual Impact Assessment	
	Tree Constraints Plan to BS:5837(2012)	✓
	Arboricultural Impact Assessment to BS:5837(2012)	✓
	Tree Protection Plan to BS:5837(2012)	✓
	Landscape Planting Plan	✓
	Compensatory Planting Plan	✓
	Landscape Plan	
	Landscape Maintenance/Management Plan	
	Protected Habitat Survey	
	Protected Species Survey	
	Guidance for undertaking Landscape and Visual Impact Assessment and cumulative impact assessments (including the newly revised visualisation standards required) can be found at: http://www.snh.gov.uk/planning-and-development/renewable-energy/onshore-wind/landscape-impacts-guidance/	✓
	Information regarding the status and qualifying features of the site can be found at: http://www.snh.org.uk/snhi/ and information on assessing the connectivity distances for SPA's can be found at: http://www.snh.gov.uk/docs/A994842.pdf	✓
	Surveys of European and nationally protected species and proposals for mitigation/enhancement. Further information on methods etc can be found on our website at: http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/	✓
Bird survey work guidance can be found at: http://www.snh.gov.uk/planning-and-development/renewable-energy/onshore-wind/windfarm-impacts-on-birds-guidance/	✓	
Our map and supporting guidance on Carbon rich soils, deep peat and priority peatland habitats http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/soils-and-development/cpp/	✓	
Design	Design Brief and/or Master Plan	
	Design and Access Statement	✓
	Sustainable Design Statement	✓
Amenity	Contaminated Land Report	
	Dust Survey	
	Noise Impact Assessment	✓
	Construction Noise Assessment (BS5228)	✓
Transport and Wider Access	Assessment of both environmental and traffic impacts of the potential effect of construction related traffic on the A9(T)	✓
	Abnormal Load Route Assessment	✓
	Framework Construction Traffic Management Plan	✓
	Transport Assessment	✓
	Assess the construction and operation periods' landscape and physical impacts on public access using SNH Handbook on EIA [Appendix 5] – Access Management Plan	✓
Water	Flood Risk Assessment	✓
	Drainage Impact Assessment	✓
Built and Cultural Heritage	Archaeology watching brief/Site investigations	
	Assessment on the impact of the following Within the site boundary: <ul style="list-style-type: none"> • Caisteal an Dunriachaidh, fort 1520m N of Achnabat (SM 	✓

	11817) <ul style="list-style-type: none"> • Achanabat, cairn 960m N of (SM 11799) • Achnabat, hut circle 1065m N of (SM 11828) • Achnabat, hut circle 815m NNE of (SM 11827) Outwith the site boundary: <ul style="list-style-type: none"> • West Town, five hut circles 480m WSW of (SM 11813) • West Town, ring cairn 240m SW of (SM 11551) • Urquhart Castle (SM 90309 and Property in Care of Scottish Ministers) 	
	Structural Survey	
Public Consultations	Pre-application Consultation Report	
Miscellaneous	Minerals (mitigation and restoration management plan)	
	Retail Assessment	
Any other appropriate document		

Environmental Impact Assessment

Screening

The Council is obliged to screen development proposals that may require an Environmental Impact Assessment (EIA). Unless specifically requested it is not the Council's intention to automatically screen proposals and issue a formal Screening Opinion.

The Highland Council Screening response was issued on.....	
The Highland Council Screening response is attached	
The Highland Council Screening response is not attached because it was not requested.	

Scoping

Where a proposal has been determined to require an EIA, and therefore will require the production of an Environmental Statement, we aim to give a Scoping response at this stage if we have not already been approached to do so.

The Highland Council Scoping Response was issued on....	
The Highland Council Scoping Response is attached	
The Highland Council Scoping Response is not attached because it was not requested.	