

EARBA STORAGE

A GILKES ENERGY COMPANY

Earba Pumped Storage Hydro Scheme EIA Report

Appendix 4.4: Pre-application Advice Response Matrix

February 2024



Quality Information

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The Highland Council Pre-application Report Response Matrix

Ref	Subject	Consultee Comment	Response / Comments
THC-a	Key Impacts - Impacts on SLA and WLA	Impacts upon the Ben Alder, Laggan and Glen Banchor Special Landscape Area and the Rannoch-Nevis-Mamores-Alder Wild Land Area (WLA 14). This is both for the project in isolation and any cumulative schemes. The proposal will require to be accompanied by suitable visualisations, for when the scheme is complete, and the landscaping matured but also for interim periods throughout construction and establishment of the landscaping to consider the worst case scenario. A robust and well thought out mitigation strategy will also be required, with careful consideration given to design, exposed materials, soft landscape mitigation and ongoing maintenance of the appearance of structures.	This issue is covered throughout the EIAR but of particular relevance are the following Chapters: Chapter 2 - The Proposed Development , including Appendix 2.2 - Design and Sustainability Statement . Chapter 7 Landscape and Visual
THC-b	Key Impacts - Works Phasing	Clear information needs to be provided on the phasing of the works; a series of plans showing exploratory works, enabling works and final construction works would be very helpful.	An outline programme is provided as Appendix 2.5 to Chapter 2 - The Proposed Development
THC-c	Key Impacts - Woodland	The proposal would result in the loss of native woodland, a compensatory planting scheme will be required. This is in addition, to an Arboricultural Impact Assessment which details the extent of adverse impact on trees/ woodland and a Tree Protection Plan to show how all retained trees/woodland are to be safeguard from construction.	Please refer to Chapter 9 - Forestry
THC-d	Key Impacts - Peat	This development will result in the disturbance of carbon rich soils and peatland. A draft Peat Management Plan should be provided which should confirm the volume of peat to be disturbed by the development (including a calculate of peatland that will be inundated) and how it will be used in successful restoration to form a functioning peatland system capable of achieving carbon sequestration.	A Draft Peat Management Plan is appended as Appendix 12.2 to Chapter 12 - Geology, Soils and Water
THC-e	Key Impacts - Impacts on Neighbouring SSSI & SAC. Requirement for Biodiversity Enhancement	The red line boundary of the development is adjacent to the boundary of Ben Alder and Aonach Beag Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC). Impacts upon these sites will need to be assessed and appropriate mitigation provided. A Biodiversity Enhancement and Management Plan will also be required.	The potential effects on the SAC and SSSI are addressed in Chapter 8 - Terrestrial Ecology and a Shadow Habitats Regulation Assessment has been provided. An outline BEMP is provided as Appendix 8.6 to Chapter 8 - Terrestrial Ecology
THC-f	Key Impacts - Road and Recreational Access	Transport Scotland will require to be satisfied that the existing junction and access road layout have the capacity to accommodate HGVs passing each other without blocking back to the trunk road. A CTMP and details of access improvements will also be required. In addition, an Outdoor Access Management Plan and a mitigation strategy is required.	Transport Scotland have reviewed the initial junction layout drawings and have indicated the arrangement is satisfactory with the next stage of approval/review to take place at detailed design stage.
THC-g	Key Impacts – Pollution	Pollution and amenity impacts will need to be addressed e.g., a noise impact assessment.	For noise impact assessment please refer to Chapter 18 - Noise and Vibration

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THC-h	Key Impacts - Flood Risk Assessment	A Flood Risk Assessment should be submitted to demonstrate that the development will remain operational during flood events and will not increase flood risk elsewhere. A Drainage Impact Assessment is also required. Impacts upon Ground Water Dependant Terrestrial Ecosystems will also need to be considered.	Chapter 12 - Geology, Soils and Water presents a screening assessment of flood risk sources and principles that would be adopted to control and manage the rate and quality of runoff shed from site during the construction phase of the project. Flood risk during the operational phase of development would be controlled and managed by a separate CAR authorisation which would be agreed with SEPA. An assessment of the potential effects of the Proposed Development on GWDTE has been included in the EIAR at Chapter 8 - Terrestrial Ecology and Chapter 12 - Geology, Soils and Water .
THC-i	Key Impacts - Heritage Walkover	A Heritage walkover survey is recommended but direct impacts to cultural heritage are not envisaged to be a significant constraint in this case.	This has been carried out and is recorded in Chapter 16 - Cultural Heritage
THC-j	Applicable Planning Policies	Refer to separate document for planning policies applicable within the Highland-wide Local Development Plan (2013), West Highland and Islands Local Development Plan 2019 (WestPlan), Highland Council Supplementary Guidance, and Scottish Planning Policy and Guidance.	Applicable planning policies have been followed. These are referenced in Chapter 5 - Planning Policy Context , in technical chapters where relevant, and in a Planning Statement submitted to accompany the S36 application.
THC-k	NPF4	Any future planning application(s) will be considered and determined against National Planning Framework 4 (NPF4) 2023, and the Council Development Plans relevant to this proposal, which are the Highland-wide Local Development Plan (HwLDP) 2012 and the West Highland and Islands Local Development Plan (WestPlan) 2019, together with associated Supplementary Guidance. Within each, a range of policies apply, with the most relevant policies of each explored as part of this consultation response. Also relevant to this proposal, due to its close proximity to the proposed site, is the Cairngorms National Park Local Development Plan 2021.	NPF4 2003 been followed. This is referenced in Chapter 5 - Planning Policy Context , in technical chapters where relevant, and in a Planning Statement submitted to accompany the S36 application.
THC-l	Sustainable Design Statement Required	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.	A Sustainable Design Statement has been provided at Appendix 2.2 .

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THC-m	Electric Car Chargers	The Council encourage the inclusion of electric car charging facilities within all new developments. A strategy for the provision of charging points within the development should be submitted with the application	As set out in the Chapter 2 - The Proposed Development , wherever practicable vehicles used in the operation of the Proposed Development would be electric vehicles (EVs). The powerhouse would be provided with sufficient charging points for all vehicles used to operate the scheme, as well as for staff vehicles to recharge whilst at work.
THC-n	Consult with THC on Decarbonisation Strategy	The Council is currently preparing its Decarbonisation Strategy as part of its ambitions for Net Zero, such as fuel/energy options for its fleet of vehicles, alongside other opportunities. To discuss any opportunities this proposal may bring to the Council strategy, early contact with Neil Osborne, Climate Change Manager (neil.osborne@highland.gov.uk) is advocated.	
THC-o	Decommissioning	While the project will likely seek a consent for a number of years, provisions should be made for decommissioning of the development either if the project is not progressed beyond initial works, is not completed or if the project no longer is viable to operate. An outline decommissioning and restoration plan should accompany the application and any EIA should consider the impact of decommissioning.	With proper maintenance, the Proposed Development should remain functional indefinitely and as such it is not anticipated that an assessment of decommissioning effects will be required as part of the EIA Report
THC-p	Within SLA	The proposed development lies within the Ben Alder, Laggan and Glen Banchor Special Landscape Area. The development would tend to reduce variety in the landscape to some degree, changing two smaller lochans which relate visually to the pair of hills to their north west, Binnein Shios and Binnein Shuas into a larger single loch which would have a less complex shoreline and a drawdown zone is likely to be visible. That said, the development does not lie within an area of the SLA which is particularly identified within the Assessment of Highland Special Landscape Areas.	The effects on the SLA have been assessed in Chapter 7 - Landscape and Visual .
THC-q	SLA Characterisation	The SLA is characterised by a combination of contrasting landscape character areas, combining a series of wooded glens with small scale farmlands, moorlands, craggy summits and moorland plateaux, and encompassing two of the largest and best known Monros. The landscape ranges from picturesque and romantic compositions to more rugged uplands, within a relatively contained geographic area. The landscape and visual characteristic likely to create greatest susceptibility to a development of this nature is: 'strong contrast between the glens and the upland areas. In the glens, human influence is clearly apparent'. Conversely, the mountain and moorland areas are simple in land cover and possess wildness qualities'.	The effects on the SLA have been assessed in Chapter 7 - Landscape and Visual .
THC-r	Impact on Wildness	The development has the potential to reduce the simplicity and wildness character of the Isolated Mountain Plateau area of the SLA.	A Wild Land Assessment has been carried out for WLA 14, which is included in the EIAR at Appendix 7.5 .
THC-s	Impact on Ancient Woodland	An area of inventoried Ancient woodland would be affected by the development and should this removal be accepted, detailed proposals will be required for mitigation of this impact.	This has been assessed in Chapter 9 Forestry .

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THC-t	Appearance in Landscape	Overall, detailed attention to design will be important to the experience of the development from people out in the landscape, this should extend to careful consideration of exposed materials, soft landscape mitigation and ongoing maintenance of the appearance of structures.	Appendix 2.2 - Sustainable Design Statement provides the details of how the Proposed Development will minimise impact within the existing landscape, this document also sets out how the design of the structures will aid this process.
THC-u	Mitigation of Visual Impacts by Design	The visual impact of the proposal will be most prominent during the construction period and until the time that the landscaping proposed to screen and integrate the development into the landscape has matured. Through careful design of the infrastructure there will be opportunity to mitigate visual impacts by design	Appendix 2.2 - Sustainable Design Statement provides the details of how the Proposed Development will minimise impact within the existing landscape, this document also sets out how the design of the structures will aid this process
THC-v	Visibility of Access Tracks	Impact and visibility of access tracks in the landscape should be considered, taking into account the excavation and building up of ground required for widening existing tracks. The routes will need to be looked at to reduce the overall impact. The regrading of land and contouring of the land for the tracks should be carefully engineered to mitigate the effects – details should be submitted with the application.	Please refer to Chapter 2 - The Proposed Development for track details and drawings. Chapter 3 - Consideration of Alternatives & Design Evolution provides details on how the track layout has been improved. Chapter 7 - Landscape and Visual includes visualisations which include the track routes.
THC-w	Minimise Impact of Powerhouse View from Above	Support the low ground level proposed for the powerhouse as this will limit views along the glen, however, we need to minimise impact from high level views.	Appendix 2.2 - Sustainable Design Statement provides details on how the view of the powerhouse from high level (really only Binein Shuas) has been mitigated by design.
THC-x	Dam Landscaping	Design for the dams, need comprehensive plans for the landscaping and stone dressing. Detail the design options and evolution of this process.	The Design evolution Chapter (Chapter 3) and Appendix 2.2 - Design and Sustainability Statement document the design evolution and then the final detailing respectively.
THC-y	Visualisation Spec	The proposal will require to be accompanied by suitable visualisations to both The Highland Council Standards and NatureScot Guidance. These should include visuals for when the scheme is complete, and the landscaping matured and for interim periods throughout construction and establishment of the landscaping to consider the worst case scenario.	These are provided in Chapter 7 - Landscape and Visual .
THC-z	Viewpoint Locations	The proposed viewpoint locations are appropriate, but the applicants should also include viewpoints from the access track. Suggested locations being in the vicinity of the existing reservoir and from the Shios Dam end. At present the paths and tracks in the area allow for a partially looped route as the northern lochan is ringed by paths/tracks. The developers should explore whether a new looped path around the enlarged reservoir is feasible to protect and enhance this accessibility, and how the level of amenity and access may be maintained or compensated.	Additional visualisation have been provided as suggested: VL6 - Proposed access track to north-east of Lochan na h-Earba and VL7 - Proposed access track to south-east of Lochan na h-Earba . For further details on the proposed looped path please refer to Chapter 15 - Recreation and Access .

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THC-A	L&V - Effects on WLA 14	The Proposed Development could potentially result in significant adverse effects and cumulative effects in relation to the highly sensitive landscape of the Rannoch-Nevis-Mamores-Alder Wild Land Area (WLA 14). Should effects on this WLA be found to significantly affect the qualities of this landscape, this may lead to a NatureScot objection.	Please refer to Chapter 7 - Landscape & Visual which includes a Wild Land Assessment at Appendix 7.5 .
THC-B	L&V - Visibility from WLA 14	Extent of Visibility: The ZTVs provided show that there would be theoretical visibility of the proposed development, relating to landscapes of national interest, over the northern extents of the Rannoch-Nevis-Mamores-Alder Wild Land Area (WLA 14).	Please refer to Chapter 7 - Landscape & Visual which includes a Wild Land Assessment at Appendix 7.5 .
THC-C	L&V - WLA Required	Effects on Wild Land Areas (WLAs): We advise that given the siting and predicted theoretical visibility of the proposal over the Rannoch-Nevis-Mamores-Alder WLA a Wild Land Impact Assessment will be required.	Please refer to Chapter 7 - Landscape & Visual and Appendix 7.5 – Assessment of Wild Land Area
THC-D	L&V - WLA Cumulative Assessment	Cumulative Effects: We advise cumulative effects on WLA 14 be included in a Wild Land Assessment. This should consider all elements of the proposal development i.e access tracks, built form, dams and impoundments, and borrow pits. When considering which proposals to include within the cumulative assessment we consider that The Highland Council are best placed to advise.	Please refer to Chapter 7 - Landscape & Visual and Appendix 7.5 – Assessment of Wild Land Area
THC-E	L&V - Lighting Requirements	Lighting Requirements: Should there be a requirement for external lighting of the proposed development. We advise that effects from lighting on the WLA be considered, given predicted visibility of the proposal from this area and the high sensitivity of WLAs to the effects of lighting. There may also be a requirement for night-time visualisations. It should also be noted that the cumulative effects of lighting may also be required.	No external lighting is proposed except for task lighting. There would be no PIRs installed. This is detailed in Chapter 2 - The Proposed Development .
THC-F	L&V - Viewpoints & Photomontages	Viewpoints and photomontages: Photomontages should clearly show the relevant elements of the scheme i.e. impoundment dam/ embankment, impounded waterbody, drawdown area, tail pond inlet/ outlet, substation, access tracks, borrow pits and drawdown scars.	Noted
THC-G	L&V - Drawdown Mitigations	Impoundments can result in variable water levels causing a drawdown scar, which is likely to have increased visibility from a distance, creating a new visual focus in the landscape. Impacts can arise from the direct visual effect of this new feature, or from the perceived effects on wild land quality. Assessment of the landscape and visual impact of the likely drawdown maximum and minimum levels (natural and managed) and the duration of the maximum and minimum levels and the timing (season) should be considered.	The drawdown zone is shown on the visualisations. The Proposed Development includes the provision of promontories on the Earba reservoir which will continue to provide the appearance of two lochs but importantly the peninsulas provide a means to break up the drawdown zone when looking along the loch and avoid a long linear feature being a prominent feature.
THC-H	Year 15 Photomontages	Photomontages and design sections should also show planting/ landscape mitigation proposals at year 1 and year 15.	The proposed landscape planting around the powerhouse is shown in the drawings and visualisations included with Chapter 7 - Landscape and Visual at 1, 5 and 15 years after construction.
THC-I	THC Agree Viewpoints	We would also welcome consultation on final viewpoint selection to ensure that all potential; effects on WLA 14 are captured.	The final viewpoints have been agreed in consultation with THC and NatureScot through meetings and correspondence.

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THC-J	Demonstrate Mitigation Through Design	Mitigation: Demonstration of mitigation through design should be detailed in the submission; relating to reducing impacts on WLAs. Given the proposals location within a landscape of high sensitivity to development we would like to see options explored throughout the design evolution of this proposal. This will illustrate where mitigation has been used to reduce the significance of effects on this very sensitive landscape.	Chapter 3 - Consideration of Alternatives and Design Evolution covers this topic. Appendix 2.2 - Sustainable Design Statement provides the details of how the Proposed Development will minimise impact within the existing landscape, this document also sets out how the design of the structures will aid this process
THC-K	Effects on WLA	The primary components of the proposal which are likely to result in significant effects on WLA 14 include: New access tracks and any upgrading of exiting access tracks. New access tracks within wild land areas will change the physical fabric of the landscape. Careful consideration should be given to the need for, alignment and finish of any track to ensure that the character and qualities of the WLA as described are not significantly affected; Dams and impoundments. The physical extent of the dams and their subsequent inundations is a major component of the proposal which we are not able at this stage to give detailed advice on, however, to enable us to better understand the effects a series of sections and photomontages would assist us. As with any development of this scale within a WLA its scale, design and finish should reflect the high quality of the landscape in which it is within; and Powerhouse/ built form associated with the development.	Appendix 2.2 - Sustainable Design Statement provides the details of how the design of the powerhouse will allow it to sit comfortably in the surrounding landscape. Careful thought has gone into the design of the dams, access tracks and other infrastructure to minimise its landscape impact. The photomontages provided with Chapter 7 - Landscape and Visual provide visualisations that convey the design and finishes of these structures within the landscape.
THC-L	WLIA	The proposals must be accompanied by a Wild Land Impact Assessment which sets out how design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the Rannoch-Nevis-Mamores-Alder WLA (WLA14).	Please refer to Chapter 7 - Landscape & Visual, Appendix 7.5 – Assessment of Wild Land Area
THC-M	Presence of Native Woodland	Within the red-line there are areas of existing native woodland adjacent to the access track from Moy Bridge and there is native pine and birch woodland all around the northern part of Lochan Na Earba. There are also areas of woodland around the northern part of Lochan Na Earba which are listed in the Ancient Woodland Inventory as Ancient semi-natural origin (ASNO1860).	Please refer to Chapter 9 - Forestry
THC-N	THC Policy on Woodland Removal	Policy: Policy 51 (Trees and Development) of the Highland wide Local Development Plan states that 'The Council will support development which promotes significant protection to existing hedges, trees and woodlands on and around development sites.'; Policy 52 (Principle of Development in Woodland) of the Highland wide Local Development Plan states 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.'	Please refer to Chapter 9 - Forestry
THC-O	AWI Policy	Parts of the site are listed on the Ancient Woodland Inventory as Ancient semi-natural origin woodland (ASNO1860). 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'. Where there may be any significant adverse effects, these must be clearly outweighed by social or economic benefits of national importance".	Please refer to Chapter 9 - Forestry

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THC-P	AWI Policy	In addition, Policy 6b) of NPF4 notes that <i>"Development proposals will not be supported where they will result in...Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition."</i> Where woodland loss would be necessary to develop a site then the Scottish Government's policy on the Control of Woodland Removal (CoWR) will apply. The guiding principles of the policy note that <i>"There is a strong presumption in favour of protecting Scotland's woodland resources",</i> and <i>"Woodland removal should be allowed only where it would achieve significant and clearly defined additional public benefits. In appropriate cases a proposal for compensatory planting may form part of this balance."</i>	Please refer to Chapter 9 - Forestry
THC-Q	Cost / Benefit for Woodland Removal to be Demonstrated	NPF4 Policy 6 c) notes that <i>"Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered"</i> . The CoWR also notes that there will be a strong presumption against removing ancient semi-natural woodland.	Please refer to Chapter 9 - Forestry
THC-R	Extent of Woodland Loss	Proposals: Although it is not possible to determine the full extent of loss of woodland, it would appear that the proposals would result in the loss of a narrow strip of native woodland on the south-east side of Loch Na Earba and potentially some of the woodland slightly further back from the Loch which is listed in the Native Woodland Survey of Scotland. The Proposed Buried Grid Connection to the Proposed Electrical Substation is also likely to result in woodland loss, but this will depend on extent of working corridor and finalised route.	Please refer to Chapter 9 - Forestry
THC-S	Compensatory Planting	It is noted in section 18.3.3 of the Scoping Report that compensatory planting would be undertaken so no permanent net loss of tree carbon is anticipated as a result of the Proposed Development. This is welcome and will be required in order to satisfy local and national policy	Please refer to Chapter 9 - Forestry
THC-T	Tree Constraints Plan	Recommendations: It is recommended that the applicant identify all woodland on site in a Tree/ Woodland Constraints Plan and use this to help inform the layout of the development, wherever possible, in order to minimise the impact on existing trees and woodland on and adjacent to the site.	Please refer to Chapter 9 - Forestry
THC-U	Arboricultural Impact Assessment Required	The applicant will also need to supply an Arboricultural Impact Assessment which details the extent of adverse impact on trees/ woodland and a Tree Protection Plan to show how all retained trees/ woodland are to be safeguard from construction.	Please refer to Chapter 9 - Forestry
THC-V	Compensatory Tree Planting Plan Required	In addition, the applicant will need to provide a Compensatory Tree Planting Plan which shows how any areas of woodland which have to be removed are to be replaced.	Please refer to Chapter 9 - Forestry
THC-W	Improve Definition of Figures	The applicant will need to ensure that in any subsequent application all drawings are clear, as the low-resolution drawings provided for this Major preapp are not up to the standard we would expect.	Understood and addressed.

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THC-X	Peat Survey and Assessment	This development will result in the disturbance of carbon rich soils and peatland. Information to meet the requirements of Policy 5d should be provided. This should include detailed peat depth and peatland quality information and it should clearly demonstrate how the mitigation hierarchy has been applied. Existing infrastructure, such as tracks should be utilised and engineering works should be shown to avoid the areas of deepest peat and minimise the footprint of development within areas of peat.	This is addressed in Chapter 3 - Consideration of Alternatives and Design Evolution , in Chapter 2 - The Proposed Development , in Chapter 8 - Terrestrial Ecology , including Appendix 8.6 - Outline BEMP , and Chapter 12 - Geology, Soils and Water , including Appendix 12.2 Draft Peat Management Plan
THC-Y	Peat Submission Details	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 <u>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.</u>	Provided in Chapter 12 - Geology, Soils and Water , and the associated Appendix 12.2 - Draft Peat Management Plan .
THC-Z	Peat Submission Details	Proposals should be, where relevant, in line 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."	Detailed in Chapter 12 - Geology, Soils and Water , and the associated Appendix 12.2 - Draft Peat Management Plan .
THC-aa	Peat Management Plan Required	A draft Peat Management Plan should be provided which should confirm the volume of peat to be disturbed by the development (including a calculate of peatland that will be inundated) and how it will be used in successful restoration to form a functioning peatland system capable of achieving carbon sequestration. It seems very likely that more peat will be disturbed than can be used in site reinstatement. SEPA suggests that the Peat Management Plan clearly identifies the volumes of peat which may require to be put to other uses and identifies what they are, but that any proposals for peatland restoration are contained within a Habitat Management Plan. The Habitat Management Plan should provide proposals for peatland and habitat restoration with plans included showing areas for proposed works.	Appendix 12.2 - Draft Peat Management Plan includes the details requested.
THC-bb	Avoid Impacts on Peat	Under National Planning Framework 4 (NPF4) Policy 3 provides for an expectation of nature enhancement and biodiversity being left in a demonstrably better state than before development. This is particularly relevant when considering the implications of this proposal for priority peatland habitats and producing an appropriate Habitat Management Plan. Category 1 peatland is found around the dam structures and in the flood zones of Lochan na h'Earba and Loch a' Bhealaich Leamhain. In accordance with the mitigation hierarchy we encourage the applicants to avoid adverse impacts as far as possible, and to minimise any residual impacts through best practice. Following detailed ground investigations, the final Construction Environmental Management Plan and Peat Management Plan should demonstrate that this approach has been followed.	This is addressed in Chapter 3 - Consideration of Alternatives and Design Evolution , in Chapter 8 - Terrestrial Ecology , including Appendix 8.6 - Outline BEMP , and Chapter 12 - Geology, Soils and Water , including Appendix 12.2 Draft Peat Management Plan . A CEMD is provided at Appendix 2.3 .
THC-cc	NatureScot Advice on Peatland	Further advice on peatland restoration is available on our Peatland Action website: https://www.nature.scot/climate-change/nature-based-solutions/peatland-actionproject/peatland-action-project-resources and https://www.nature.scot/doc/peatland-actiontechnical-compendium . While this guidance is aimed at those applying for Peatland Action grants it contains advice on best practice which would also apply in a development context.	Noted - this guidance is referenced and followed in the Peatland Restoration Assessment Report associated with Appendix 8.6 - Outline BEMP .

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THC-dd	Assess Potential Effect on Ben Alder Etc SSSI & SAC	Further information on the designated site below, including the protected features and conservation objectives, can be found on SiteLink, see: https://sitelink.nature.scot/home . The red line boundary of the development is adjacent to the boundary of Ben Alder and Aonach Beag Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC). The designated sites lie to the south east of the proposed upper loch 'Loch a' Bhealaich Leamhain'. This loch discharges into the Allt Cam river which feeds Loch Pattack which is part of the SSSI and SAC. The SSSI is notified for a variety habitats and species, including breeding bird assemblage. Black throated divers (part of the breeding bird assemblage feature) nest on Loch Pattack, downstream from the proposed upper loch. The SAC is designated for a variety of upland and alpine habitats, the majority of which will not be affected by the proposal. However, blanket bog and wet-heath are found around the margins of Loch Pattack.	A Shadow Habitats Regulations Assessment is provided alongside the S36 application which addresses these points.
THC-ee	Pollution Prevention Plan Required Upstream of Loch Pattack	A pollution prevention plan needs to be included which fully details mitigation and emergency measures to prevent pollution entering the watercourses 'Allt Loch a' Bhealaich Leamhain' and 'Allt Cam' and ultimately Loch Pattack and its surrounding habitats.	A Pollution Prevention Plan for watercourses downstream of Loch Leamhain has been included with the Outline CEMD, which is at Appendix 2.3
THC-ff	Ben Alder SPA	It is also within 2km of Ben Alder Special Protection Area. However, it is unlikely that the scheme will affect the features of the SPA.	This is addressed in Chapter 10 - Ornithology .
THC-gg	Recommended Surveys	NatureScot recommend that the applicants undertake appropriate surveys and implement any necessary mitigation for protected species and birds in line with our guidance at: https://www.nature.scot/professional-advice/planning-and-development/planning-anddevelopment-advice .	Surveys agreed by THC and NatureScot have been carried out for protected mammals and birds. These are included in Chapter 8 - Terrestrial Ecology and Chapter 10 - Ornithology .
THC-hh	Contact RSPH and Highland Raptor Study Group	We advise that the applicants contact the RSPB and Highland Raptor Study. Group to request records of any Schedule 1 birds that may be present in the area.	This has been done and both the RSPB and the HRSG have provided data which has helped to inform the EIA.
THC-ii	Full Ecology Assessment Required	A full assessment of the ecology of the site and a suitable buffer around the site needs to be undertaken to determine if there are any ecological/environmental constraints associated with the proposed development. The assessment should include (but not be limited to): Desk study records, from NatureScot Sitelink, the NBN atlas and local biodiversity record groups; Specific surveys of the site to identify any protected species/habitats, priority habitats and priority species, including those listed within the Highland Nature Biodiversity Action Plan to fulfil Policies 57-60 of the Highland Wide Local Development Plan; Assessment of ecological effects; and Relevant mitigation and compensation measures.	Addressed in Chapter 8 - Terrestrial Ecology, Chapter 9 - Forestry, Chapter 10 - Ornithology and Chapter 11 - Aquatic Ecology .

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THC-jj	Assess the Impact of the Development on Loch Laggan	An assessment of the development upon Loch Laggan must also be included within the ecological/environmental assessment	The project will not interface directly with Loch Laggan. During filling of Earba reservoir there will be a temporary reduction in flow to Loch Laggan the Earba catchment makes up only a small percentage of the Loch Laggan catchment. The Earba catchment area of about 24km ² represents about 6% of the overall direct catchment to Laggan Dam (375km ²). Chapter 11 - Aquatic Ecology assesses any potential ecological effects of the Proposed Development on Loch Laggan.
THC-kk	Qualified Ecologists	Surveys should be undertaken by a suitably qualified and experienced Ecologist.	CVs of the various ecologists who carried out the surveys are included in Appendix 1.1 - EIA Specialist Team .
THC-ll	Particular Species in HwLDP	Policies 57-60 of the Highland Wide Local Development Plan (HwLDP) pertain to the protection of certain species and habitats within the Highland region that must be considered for any developments.	These have been assessed in Chapter 8 - Terrestrial Ecology , Chapter 10 - Ornithology and Chapter 11 - Aquatic Ecology .
THC-mm	Particular Species in HNBAP	The Highland Nature biodiversity Action Plan (HNBAP) lists priority species and habitats that are considered to be important within the Highland region. These priority species and habitats must be given consideration for any developments. https://www.highlandenvironmentforum.info/biodiversity/action-plan/	These have been assessed in Chapter 8 - Terrestrial Ecology , Chapter 10 - Ornithology and Chapter 11 - Aquatic Ecology .
THC-nn	Biodiversity Enhancement Requirement	The proposed development will need to accord with the policies of NPF4 including Policy 3, which requires that all developments must deliver not just ecological mitigation and compensation but also biodiversity enhancement of the site. As this is a Major development, Policy 3b is applicable to this development.	This is addressed in Chapter 8 - Terrestrial Ecology and Appendix 8.6 - Outline BEMP .
THC-oo	Biodiversity Enhancement and Management Plan Requirement	In order to satisfy Policy 3b a Biodiversity Enhancement and Management Plan will be required that details how the criteria will be met. This must demonstrate that the development will significantly enhance the biodiversity of the site, from its pre-development state. Where the Biodiversity Enhancement and Management Plan is unable to demonstrate to the satisfaction of the planning authority that the development will conserve, restore and enhance biodiversity, the proposal will not be supported.	This is addressed in Chapter 8 - Terrestrial Ecology and Appendix 8.6 - Outline BEMP .
THC-pp	Biodiversity Enhancement and Management Plan Requirements	The Biodiversity Enhancement and Management Plan must demonstrate to the satisfaction of the planning authority that the development will accord with Policies 57-60 of the HwLDP.	A bespoke arrangement has been presented in consultation with THC and NS.
THC-qq	Qualified Ecologists	The Biodiversity Enhancement and Management Plan will be carried out by a suitably qualified and experienced consultant.	CVs of the various ecologists who prepared the BEMP are included in Appendix 1.1 - EIA Specialist Team .

Ref	Subject	Consultee Comment	Response / Comments
THC-rr	Developer Contributions for Biodiversity Enhancement	In rare cases where site constraints result in the applicant being unable to deliver one or more of the above criteria, consideration may be given to developer contributions as to enable biodiversity enhancements to be implemented elsewhere in line with the mitigation hierarchy to allow offset, off- site measures.	It is proposed that the biodiversity enhancements would be provided within Ardverikie Estate.
THC-ss	Wider Area Biodiversity Enhancement	Depending on the baseline ecological condition of the site, and level and type of biodiversity enhancement measures proposed, there may be an additional requirement for a developer contribution (taken annually over the lifetime of the project) to contribute towards the funding of new and/or existing long-term biodiversity enhancement projects in the wider area. Dependent on the specifics of the site and area, projects funded by developer contributions may include: Professional/academic-led research projects to enhance understanding of local biodiversity; Landscape-scale restoration; Targeted projects to conserve priority species and/or habitats (as identified in local and national BAPs); Control and removal of invasive non-native species; Local community group biodiversity projects Improving access to nature for local communities	It is proposed that sufficient biodiversity enhancements would be provided within Ardverikie Estate.
THC-tt	Protected Areas	Natural Places: The site is in close proximity to a number of protected areas that are required to be considered within the ecological assessment. The proposed development will need to accord with Policy 57 of the HwLDP and Policy 4 of the NPF4.	Recognised in the various ecological assessments within the EIA.
THC-uu	Consider effects on Protected Areas Outside the Site	The ecological assessment should not just consider the protected areas but also the qualifying features that may be affected out with the protected areas.	Noted.
THC-vv	Positive Architectural Contribution Required	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.	Appendix 2.2 - Sustainable Design Statement provides the details of how the Proposed Development will minimise impact within the existing landscape, this document also sets out how the design of the structures will aid this process.
THC-ww	Alignment and Finish of Tracks	Careful consideration should be given to the need for, alignment and finish of any track. Details of groundworks associated with all infrastructure is required.	Noted.
THC-xx	Design and Access Statement Requirements	The Design and Access Statement should outline the design principles and concepts that have been applied to the development and: (i) explain the policy or approach adopted as to design and how any policies relating to design in the development plan have been taken into account; (ii) describe the steps taken to appraise the context of the development and demonstrates how the design of the development takes that context into account in relation to its proposed use; (iii) state what, if any, consultation has been undertaken on issues relating to the design principles and concepts that have been applied to the development; and what account has been taken of the outcome of any such consultation. Further advice on the preparation of design statements is contained in the Council's advice note on Design and Access Statements and Scottish Government Planning Advice Note 68.	Appendix 2.2 - Sustainable Design Statement provides the details of how the Proposed Development will minimise impact within the existing landscape, this document also sets out how the design of the structures will aid this process
THC-yy	Demonstrate Design Alternatives Considered	In addition to the above, it is expected that the design chapter of the EIAR will outline the alternatives explored, which may include different design iterations or delivery of a different style of construction / different location for the proposal.	This is included in Chapter 3 - Consideration of Alternatives and Design Evolution .

Ref	Subject	Consultee Comment	Response / Comments
THC-zz	Disposal of Unsuitable Material	SEPA notes and welcomes the proposal that all material for the tunnel will be used to form the dam structures. Nonetheless consideration needs to be given to what will be done with any material that is not fit for this, or other project construction, works. Temporary storage, processing and reuse elsewhere options should be outlined.	A key feature of the Proposed Development is a mass balance, which is presented in Chapter 2 - The Proposed Development and Appendix 2.4 - Mass Balance Strategy and Borrow Pit Plan .
THC-AA	Spoil Management Plan Required	The application should include a spoil management plan. This should include information in relation to the type and volumes of material that will be excavated on site accompanied by clear information on temporary storage (which is likely to require an extensive area), reuse on site and use or disposal elsewhere. Any material that cannot be appropriately used within the site works will be considered waste and waste management legislation would apply.	This is presented in Chapter 2 - The Proposed Development and Appendix 2.4 - Mass Balance Strategy and Borrow Pit Plan .
THC-BB	Noise Impacts – Operational	The applicant will be required to submit, a Noise Impact Assessment carried out by a suitably qualified and competent person which assesses the likely impact of operational noise emanating from the development on neighbouring properties. The assessment should include but is not limited to the following: - 1) A description of the proposed development in terms of noise sources and the proposed locations and operating times of the same; 2) A detailed plan showing the location of noise sources, noise sensitive premises and survey measurement locations(*Relevant standards and monitoring locations must be agreed beforehand with the Council's Environmental Health Officer); 3) A description of any noise mitigation methods that will be employed. The effect of mitigation methods on the predicted levels should be reported where appropriate; 4) A survey of current ambient (LAeq) and background (LA90) noise levels at appropriate locations neighbouring the proposed site; 5) A prediction of noise levels resultant at neighbouring noise sensitive premises, for the operational phase of the proposed development. The raw data and equations used in the calculations should be made available on request; and 6) An assessment of the predicted noise levels in comparison with relevant standards (Relevant standards and monitoring locations must be agreed beforehand with the Council's Environmental Health Officer).	This is included in Chapter 18 - Noise and Vibration .
THC-CC	Noise Impacts - Construction	Planning conditions are not used to control the impact of construction noise as similar powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974. Generally, people are tolerant of construction noise during typical working hours which are taken to be 8am to 7pm Monday to Friday and 8am to 1pm on Saturdays. Works for which noise is inaudible at the curtilage of any noise sensitive property could still be carried out out-with these times. If the applicant intends to undertake noisy work out-with the aforementioned times, they will be required to submit a detailed construction noise assessment for the written approval of the planning authority. For the avoidance of doubt, this would include any proposal to run compound generators overnight for the purposes of lighting or drying of PPE etc. The assessment should include: - 1) A description of construction activities with reference to noise generating plant and equipment. 2) A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations; 3) A description of any noise mitigation methods that will be employed and the predicted effect of said methods on noise levels; 4) A prediction of noise levels resultant at the curtilage of noise sensitive receptors; and 5) An assessment of the predicted noise levels in comparison with relevant standards. Regardless of whether a construction noise assessment is required, it is expected that the developer/contractor will employ the best practicable means to reduce the impact of noise from construction activities. The applicant will be required to submit a scheme demonstrating how this will be implemented.	This is addressed in Chapter 18 - Noise and Vibration .

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THC-DD	Pollution Prevention	The application should include a schedule of mitigation and commitment to employ an Ecological Clerk of Works.	The schedule of mitigation is at Chapter 20 - Mitigation Schedule . An ECoW will be employed on the project.
THC-EE	Dust	Any application should be accompanied by a scheme for the suppression of dust during construction, for the approval of the planning authority.	Included in the Outline CEMD at Appendix 2.3 .
THC-FF	Private Water Supplies-	The applicant will be required to carry out an investigation to identify any private water supplies, including pipework, which may be adversely affected by the development and to submit details of the measures proposed to prevent contamination or physical disruption. Highland Council has some information on known supplies but it is not definitive. An on-site survey will be required.	This is assessed in Chapter 12 - Geology, Soils and Water and in Appendix 12.5 – Confidential : Private Water Supply Risk Assessment (PWSRA)
THC-GG	Groundwater Abstractions (SEPA)	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. 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.	This is assessed in Chapter 12 - Geology, Soils and Water and in Appendix 12.5 – Confidential : Private Water Supply Risk Assessment (PWSRA)
THC-HH	Borrow Pits (SEPA)	Information should be provided on the proposed location, dimensions and restoration proposals for borrow pits.	These details are provided in Appendix 2.4 - Mass Balance Strategy and Borrow Pit Plan .
THC-II	Workers' Camp	Details of the form and location for the accommodation of construction workers would be helpful in the application.	The location and arrangement of the workers accommodation is detailed in Chapter 2 - The Proposed Development and associated figures.
THC-JJ	Impact on the Local Road Network- Advice from the Councils Transport Planning Team	These proposals do not appear to impact on adoptable local public roads, with access suggested off the A86 Trunk Road directly onto private estate tracks. If that is the case, then feedback should be sought from Transport Scotland on their requirements for considering the implications to their Trunk Road network. If local public roads will be impacted by the proposed works, then the scope of any required Transport Assessment / Transport Statement should be agreed with Highland Council as the Local Roads Authority covering the area before work on that supporting documentation commences.	Access to the site would be by the Trunk Road network and Transport Scotland have been consulted on this. Details are included in Chapter 17 - Transport and Access .

Ref	Subject	Consultee Comment	Response / Comments
THC-KK	Impact on the Trunk Road Network – Advice from Transport Scotland	The proposed development comprises the development of a Pumped storage hydroelectric scheme on a site approximately 4.2km southeast of Moy Lodge in Tulloch, Roy Bridge. The nearest trunk road to the site is the A86(T), located at the northwest boundary of the site, where it is proposed that site access will be taken from. Information supporting the pre-app states that the forthcoming application will be supported by a Transport Assessment report, Abnormal Load Route Survey and technical figures. Transport Scotland considers this appropriate and will be pleased to comment on the Scoping for these assessments. We note that site access is proposed from an existing junction with the A86(T), currently a single-track road leading to a narrow bridge over the River Spean. It should be noted that, while the access road is a local road, Transport Scotland will require to be satisfied that the existing junction and access road layout have the capacity to accommodate HGVs passing each other without blocking back to the trunk road. We would also state that any improvements to the junction will require to be designed in accordance with CD123 and discussed and agreed with the Area Manager for the A86(T) - Marco Bardelli, who can be contacted at marco.bardelli@transport.gov.scot. Transport Scotland would also request that a Construction Traffic Management Plan be submitted. This should include the likely routing to and from the site and details of any large or abnormal loads. Forecast HGV movements using the trunk road junctions should be explicitly identified.	Access to the site would be by the Trunk Road network and Transport Scotland have been consulted on this. Details are included in Chapter 17 - Transport and Access .
THC-LL	Impacts on Public Access – Advice from the Councils Access Officer	Policy 77 of the Highland wide Local Development Plan asks that a major development be accompanied by an Outdoor Access Plan or Access Management Plan. Ideally one would be submitted with an application, possibly as an appendix to an EIA. I recommend that it address the development's impact on outdoor access in line with the guidelines in NatureScot's Handbook on EIA. Following that guidance will help you adequately and comprehensively address this proposal's considerable potential impact on public access during preparatory and construction work along with the impacts once the scheme is up and running.	Chapter 15 - Recreation and Access and the associated Appendix 15.1 - Draft Access Management Plan , which has been prepared in consultation with THC Access Officers addresses these points.
THC-MM	Impacts on Public Access – Retain Access During Construction	A long construction period will increase the significance of any impacts as does the physical impact of the final work. That brings Policy 77 in again which says: Where a proposal affects a route included in a Core Paths Plan or an access point to water, or significantly affects wider access rights, then The Council will require it to either: retain the existing path or water access point while maintaining or enhancing its amenity value; or ensure alternative access provision that is no less attractive, is safe and convenient for public use, and does not damage or disturb species or habitats.	Chapter 15 - Recreation and Access and the associated Appendix 15.1 - Draft Access Management Plan , which has been prepared in consultation with THC Access Officers addresses these points.
THC-NN	Impacts on Public Access – Red Survey	This proposal will submerge paths and tracks, some of which appear to have been sacrificed. I think it important that those paths are not lost altogether, opportunities to develop new paths are taken up and the specification and quality of any paths and tracks are laid before the planning authority for our approval as part of the planning process. As such I recommend that a Red (Specification) Survey of all affected paths and path/track junctions be carried out. It should include the provision of an alternative paths on the north and south sides of Loch a Bhealaich Leamhain as well as an upland path to the base of the most popular routes on Binnein Shuas. That Red Survey should be carried out by a suitably experienced individual or firm. Details on Upland Path management and the surveys can be found here https://www.nature.scot/sites/default/files/2017-05/Publication%202016%20%20Upland%20Path%20Management%20standards%20for%20delivering%20Op ath%20projects%20in%20Scotland%27s%20mountains.pdf	Chapter 15 - Recreation and Access and the associated Appendix 15.1 - Draft Access Management Plan , which has been prepared in consultation with THC Access Officers addresses these points.

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THC-OO	Impacts on Public Access – Core and Other Paths	The West Highlands and Islands Core Paths Plan has been reviewed. Some of then routes nearby are likely to become core paths. Some of them are more strategic, long distance paths across this area. While they are not Long Distance Routes like the West Highland Way they do form constituent parts of longer journeys on foot, bicycle and on horseback. The East Highland Way follows the access road for a stretch too. Policy 78 of the Highland wide Local Development Plan might be said to have a bearing, seeking to safeguard and enhance long distance routes and their settings.	Chapter 15 - Recreation and Access and the associated Appendix 15.1 - Draft Access Management Plan , which has been prepared in consultation with THC Access Officers addresses these points.
THC-PP	Impacts on Public Access – Cumulative Impact	Mention was made of the cumulative impact of similar developments in the area. The Corrievarkie scheme will no doubt be mentioned by others. There may be a cumulative visual impact from some hilltops. If alternative plans to access Loch na-h Earba scheme proposed coming in from Dalwhinnie there is a risk that could mean added impacts on public access served from the east or north-east.	Chapter 15 - Recreation and Access and the associated Appendix 15.1 - Draft Access Management Plan , which has been prepared in consultation with THC Access Officers addresses these points.
THC-QQ	Impacts on Public Access – CNPA Interest	The proposed connection reaches into the Cairngorms National Park. The CNPA may have an interest in any impact the proposal may have on public access.	CNPA have been consulted through the scoping and PAN processes but have raised no comments on Public Access.
THC-RR	Flood Risk – Councils Flood Risk Management Team:	There are a number of watercourses present within, or adjacent to, the application site boundary. This type of development is considered both 'Essential Infrastructure' and 'Water Compatible' under SEPA's 'Flood Risk and Land Use Vulnerability Guidance'. The development can therefore be located in areas at risk of flooding as long as it is designed to remain operational during flood events and does not increase flood risk to others. A Flood Risk Assessment should be submitted to demonstrate that the development will remain operational during flood events and will not increase flood risk elsewhere. SEPA's Technical Flood Risk Guidance for Stakeholders outlines the information required to be submitted as part of a Flood Risk Assessment.	Flood risk during the operational phase of development would be controlled and managed by a separate CAR authorisation which would be agreed with SEPA. The powerhouse structure will be located above the lower reservoir flood level. Flood risk associated with the reservoirs will be covered under the Reservoirs (Scotland) Act 2011.
THC-SS	Watercourse Crossings	Any new small watercourse crossings for access tracks should be oversized and larger scale watercourse crossings should be demonstrated to be adequately designed to accommodate the 1 in 200 year flow (including an allowance for climate change and freeboard) to avoid increasing the risk of flooding, or information provided to justify smaller structures.	This is included in the design.
THC-TT	Further Guidance	Further advice and SEPA's best practice guidance are available within the water engineering section of SEPA's website. https://www.sepa.org.uk/regulations/water/engineering/ Guidance on the design of water crossings can be found in Construction of River Crossings Good Practice Guide. http://www.sepa.org.uk/media/151036/wat-sg-25.pdf	Noted.
THC-UU	Drainage Impact Assessment Required	A Drainage Impact Assessment (DIA) is required. The DIA should include details relating to any existing field 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.	This is addressed in Chapter 2 – The Proposed Development and Chapter 12 - Geology, Soils and Water .
THC-VV	Utilise Natural Flood Management Techniques	Natural flood management techniques should also be applied to reduce the rate of runoff where possible. Tracks should not act as preferential pathways for runoff and efforts should be made to retain the existing drainage network. Appropriate drainage is required to restrict runoff to pre-development rates and to minimise erosion to existing watercourses. The DIA should ensure that post development runoff rate is no greater than pre-development runoff rate (i.e. greenfield runoff) for all return periods up to the 1 in 200 year event including an allowance for climate change.	This is addressed in Chapter 2 – The Proposed Development and Chapter 12 - Geology, Soils and Water .

Ref	Subject	Consultee Comment	Response / Comments
THC-WW	Manage 1:200 + CC Run-off Within the Site	Runoff from all events up to and including the 1 in 200 year plus climate change event should be managed within the site boundary, with no flooding to critical roads or buildings, and evidence as to how this will be achieved should be included within the DIA.	This is addressed in Chapter 2 – The Proposed Development and Chapter 12 - Geology, Soils and Water .
THC-XX	THC Flood Guidance	Refer to the Council's Flood Risk and Drainage Impact: Supplementary Guidance for further detailed requirements.	
THC-YY	Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR)	The proposed hydro scheme will require an authorisation from SEPA 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. SEPA therefore strongly encourage applicants to twin-track applications for consent under planning and CAR to ensure that CAR requirements can be accommodated more easily when proposals are at their most fluid. 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. See Planning guidance on hydropower developments to assist in meeting these information requirements. More detailed guidance on CAR can be found on SEPA's hydropower web page.	It is the applicant's intention to twin track the Section 36 & CAR applications.
THC-ZZ	Other impacts on the water environment	Other elements of the scheme must be designed to avoid impacts upon the water environment. For example, the route of track to the top dam should be amended to reduce the number of watercourse crossings. Where activities such as watercourse crossings are proposed they should follow recognised best practice guidance. Small crossings should be oversized bottomless culverts and larger crossings should be single span bridges demonstrated to convey the 1 in 200 year flood event including an allowance for flood risk.	The design of the track has been developed to minimise water crossings where possible, and any crossings have been designed for a 1:200 year plus climate change event..
THC-aaa	Ground Water Dependant Terrestrial Ecosystems- Advice from SEPA	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. 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. The habitat survey information indicates that there are potential groundwater dependant habitats on site. A site specific assessment should be carried out to determine whether they are actually groundwater dependant in the particular setting and the amount of habitat directly and indirectly lost should be quantified. Infrastructure such as new tracks, laydown areas and compounds should avoid direct impacts on good quality or rare habitats.	Addressed in Chapter 8 - Terrestrial Ecology and Chapter 12 - Geology, Soils and Water .

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THC-bbb	Impact on the Historic Environment, Historic Environment Scotland	We have reviewed the proposals for our interests, which cover world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs). We are content that the proposals are unlikely to have any impact on historic environment assets for our interests.	Noted.
THC-ccc	Impact on the Historic Environment, Councils Historic Environment Team	There are no historic environment assets currently recorded within the area of proposed development and the potential for these is considered to be Low. A walkover survey would be recommended to fully inform the baseline here. Overall, direct impacts to cultural heritage are not envisaged to be a significant constraint in this case.	A walkover survey has been completed and is recorded in Chapter 16 - Cultural Heritage .
THC-ddd	Developer Contributions	The Council's Developer Contributions Supplementary Guidance will be used in the determination of planning applications and requires all development, including single house developments, make proportionate financial developer contributions towards meeting service and infrastructure needs in areas of Highland where clear deficiencies are identified. For the proposed development, the anticipated developer contribution requirements are outlined below. Please note that requirements can change over time and the exact amount payable will be confirmed at the point that a planning application is determined. Planning obligations seek to mitigate the impact of any development which cannot be mitigated through the planning process or through planning conditions. Any planning obligations sought must accord with Scottish Government Planning Circular 3/2012 (Planning Obligations and Good Neighbour Agreements). This assessment is made against NPF4 Policy 18 (Infrastructure First), HwLDP Policy 31: Developer Contributions, our Developer Contributions Supplementary Guidance, and our most recently published West Highlands and Islands Delivery Programme (2022). There may be additional obligations that arise during the planning process.	Noted.
THC-eee	Developer Contributions	The following developer contributions and/or onsite provision are likely to be required: Transport infrastructure improvements as the proposal will result in additional HGV and car trips to the proposed site; On site green infrastructure, this should include appropriate measures to conserve, restore and enhance biodiversity.	Noted
THC-fff	Community Benefit	Community benefit is a goodwill contribution voluntarily donated by a developer. It is for the benefit of communities affected by developments where this will have a long-term impact on local resources and the local environment and whilst it is a separate issue to planning, the Council wants to make sure that local communities benefit directly from the use of their local resources and are compensated for the disruption and inconvenience associated with large scale development work. The Council's Community Benefit policy contains contacts for any further discussion on this and the Council would advocate early engagement. www.highland.gov.uk/info/198/planning_-_long_term_and_area_policies/639/community_benefit	Noted.

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THC-ggg	Community wealth building	NPF4 seeks to encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels. The outcome for this policy is for local economic development that focuses on community and place benefits as a central and primary consideration, to support local employment and supply chains and to support community ownership and management of buildings and land. Policy 25 of NPF4 states that: a) Development proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported. This could include for example improving community resilience and reducing inequalities; increasing spending within communities; ensuring the use of local supply chains and services; local job creation; supporting community led proposals, including creation of new local firms and enabling community led ownership of buildings and assets; and b) Development proposals linked to community ownership and management of land will be supported. Going forward the Council will be looking to secure direct benefits to communities for renewable development and it is likely that a Council strategy to deliver this will be initiated in due course.	Noted. Please refer to Chapter 19 - Socioeconomics and Tourism .
THC-hhh	Proposal of Application Notice	The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 require that for any major development pre-application consultation must be undertaken. This requires a formal Proposal of Application Notice to be submitted to the Planning Authority at least 12 weeks prior to any formal planning application being lodged and any subsequent planning application must be accompanied by a Pre-application Community Consultation report. Further information is provided on the Council website, please see the Proposal of Application Notice section here	A PAN was submitted on 23 June 2023.
THC-iii	Community Councils	In terms of the appropriate Community Councils to consult, the proposal is located within the Laggan 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 Liz Cowie can provide advice further in this regard if required. Contact details for all community Councils can be found here.	Consultation has taken place with Laggan, Newtonmore, Dalwhinnie and Spean Bridge, Roy Bridge and Achnacarry Community Councils.
THC-jjj	Access	It would be beneficial to at this stage consult with the local Disability Access Panel. The contact details for your local panel are: Badenoch and Strathspey Access Panel, c/o VABS, 2 Inverewe, Grampian Road, Aviemore, PH22 1RH. Telephone: (01479) 810004. 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.	To be addressed at detailed design stage.
THC-kkk	Overall Development Programme including GI Requested	Clear information needs to be provided on the phasing of the works; a series of plans showing exploratory works, enabling works and final construction works would be very helpful.	An Outline Project Programme is included at Appendix 2.5 .

Ref	Subject	Consultee Comment	Response / Comments
THC-III	Public Consultation	Public consultation should be undertaken as the proposals develop to help both gauging the opinion of the local community and also scoping potential areas of conflict which could be addressed prior to submission of the application. When carrying out community consultation we recommend that full consideration is taken of Scottish Government Planning Advice Note 3/2010 - Community Engagement. This includes the standards for community involvement which should be adhered to. These standards are: Involvement; Support; Planning; Methods; Working together; Sharing information; Working with others; Improvement; Feedback; and Monitoring and evaluation. It is advisable to take into consideration all of the comments made by members of the public before a planning application is submitted to ensure that the public feel they have had an influence over the proposals. For public consultation it may be useful to use the SP=EED tool developed by Planning Aid Scotland. This builds on the Standards for Community Engagement set out in PAN 3/2010. This is available online at https://www.pas.org.uk/ .	Public Consultation has taken place and is recorded in the Pre-Application Consultation (PAC) Report at Appendix 4.6 .