

Our ref: 50565 / 332010164

8 June 2022

Planning and Building Standards,
The Highland Council,
Glenurquhart Road,
Inverness IV3 5NX

Fifth Floor Lomond House,
9 George Square,
Glasgow G2 1DY

Via email only.

Dear Sir or Madam,

PROPOSED APPLICATION FOR FULL PLANNING PERMISSION FOR UPGRADES TO THE KILFINNAN ROAD AS PART OF COIRE GLAS PUMPED STORAGE HYDRO, KILFINNAN, BY SPEAN BRIDGE – REQUEST FOR A SCREENING OPINION UNDER REGULATION 8 OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

Coire Glas Hydro Pumped Storage Ltd. (CGHPS: ‘the Applicant’) intends to submit a full planning application for a series of upgrades to Kilfinnan Road, which is the main access to the lower control works and tunnel portals for the approved Coire Glas Pumped Storage Hydro scheme (‘Coire Glas’).

Consent for Coire Glas was issued in October 2020 (ref. ECU00000577) via Section 36 of the Electricity Act 1989, with a deemed planning permission under Section 57(2) of the Town and Country Planning (Scotland) Act 1997. The permission included access from the A82 east of the site along Kilfinnan Road and allows for the upgrade of the existing road. However, ongoing design development has identified a preferred layout, which more closely aligns with current DMRB standards and which would provide certainty at this stage of being able to accommodate all vehicle movements expected to be required for the delivery of the project. This would require several departures from the current alignment, which although relatively minor, are deemed by THC to sit beyond the remit of upgrades allowed by the current consent, and therefore a separate planning application would be required,

CGHPS Ltd requests that THC adopt an EIA Screening Opinion as to whether the proposals associated with this planning application would constitute EIA development or not. The request is submitted in accordance with Regulation 8 of the Town and Country Planning (Scotland) (Environmental Impact Assessment) Regulations 2017 (‘the EIA Regulations’).

In accordance with the EIA Regulations, this request provides:

A description of the location of the development, including a plan sufficient to identify the land;

A description of the proposed development;

A description of the aspects of the environment likely to be significantly affected by the proposed development; and

a description of any features of the proposed development, or proposed measures, envisaged to avoid or prevent significant adverse effects on the environment.

Confirmation of Hierarchy of Developments

In addition to a request for an EIA screening opinion, the Applicant requests confirmation that the proposed development, as set out in Section 3, will be a Local Development application, as defined in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

Under Regulation 2(2), 'Local Development' is that which is not defined as National or Major. Kilfinnan Road is not classified as a national development in the NPF3 or draft NPF4.

The Hierarchy Regulations sets out nine 'classes' of major developments, each with a description and relevant threshold. The proposed development along Kilfinnan Road falls within the following class:

Table 1: Hierarchy of Proposed Development & Commentary

No.	Description of development	Threshold or criteria	Commentary
6	<p>Transport and infrastructure projects</p> <p>Construction of new or replacement roads, railways, tramways, waterways, aqueducts or pipelines.</p>	<p>The length of the road, railway, tramway, waterway, aqueduct or pipeline exceeds 8 kilometres.</p>	<p>The length of the proposed road is 4.6km (approx.), and therefore falls under the 8 km threshold identified in this category.</p>

Requirement for EIA

Proposed Development Location

The approved Coire Glas scheme is located above the north-west shore of Loch Lochy in Lochaber. The lower works site will be located in the Clunes Forest close to the shore of Loch Lochy, To facilitate these works, additional vehicular traffic including abnormal load movements will travel from the A82 along Kilfinnan Road.

Kilfinnan Road is typically a single-track road, approximately 3.5m wide with passing places at different locations. The road itself is low lying, cut into the slope of the hill, and is undulating with grass verges along most of its route. At various points, the road abuts commercial forestry or other vegetation, property fences, and crosses over a number of watercourses.

The character of the surrounding land is rural in nature with a small number of residential dwellings, farm steadings and tourist accommodation located along it.

As mentioned, Kilfinnan Road forms part of the Great Glen Way, a national long-distance route used by walkers, cyclists, and horse riders. It also serves as the Caledonia Way or NCN78 Oban to Inverness route. The extent of the land affected by the development proposals is 4.6km approximately and is shown on the plan provided in Appendix A.

Proposed Development Description

The proposal is to improve, modify and widen approximately 4.6km of roadway from the junction with the A82 trunk road to the forestry gate connection with the forest track that serves the lowers works area of Coire Glas. This includes adopted public road as well as a non-adopted road section between Kilfinnan Bridge and the forestry track. The total site area including any working corridor will be 37.8ha. The proposal includes the following works:

Widening of junction with the A82 will be required to achieve the required swept path for abnormal loads. The embankment immediately north of the junction will require some modification for this to be achieved and to ensure the adjacent residential properties are not affected by any abnormal load movements;

During construction, an offline temporary access road for use by residents and visitors to the area immediately south of Kilfinnan Road is proposed to avoid pinch points along the route due to current road topography and geometry. The road will be reinstated following the completion of the construction works. This temporary access road will bypass Cruinneachaidh Bridge and Oighre Bridge as they are not considered suitable for certain abnormal loads in terms of their geometry

and structural capacity. These bridges will be replaced as part of the works;

Offline construction of new sections of road in 2 principal locations and other areas where the existing road geometry and local physical constraints are unsuited to upgrade works;

A new bridge across the Kilfinnan Burn will be required. The existing bridge may be temporarily strengthened to ensure its structural capacity is not adversely affected by traffic movements required for site enabling activities;

A working construction corridor will be required along the route for development activity, spoil and materials storage and site compounds; and

Online verge widening and localised works along the majority of the road length, tying up with existing accesses.

Potential Environmental Effects

The proposed development may give rise to environmental effects. These will be considered through the detailed design process to ensure any significant environmental effects are avoided or mitigated. The following section sets out the anticipated environmental effects during construction and operation of the proposed development, how they will be assessed and managed through the design process and the technical reports that will be submitted with the planning application.

Table 2: Potential Environmental Effects

Topic	Potential Effects	Proposed Approach
Ecology	<p>Loss of habitats as a result of the proposed development.</p> <p>Effect on protected/notable species at the site and in the local area.</p>	<p>A detailed Ecology Assessment was provided within the EIA Report for Coire Glas, including survey work and impact assessment along the Kilfinnan Road and forestry track. An Ecological Assessment of the proposed upgrade works will be undertaken to provide a detailed understanding of any ecological issues occurring along and in close proximity to the proposed works.</p> <p>The proposed development has been designed taking cognisance of survey findings to ensure that any significant ecological effects are mitigated. Best practice measures, in relation to construction, will be adopted to ensure adequate protection of all retained habitats during construction. This will be demonstrated in a report to accompany the planning application.</p> <p>Where necessary, appropriate mitigation measures will be adopted to ensure the protection of any ecological assets which would otherwise be affected by the proposals. No potentially significant environmental effects are anticipated.</p>

Topic	Potential Effects	Proposed Approach
Transport	<p>The proposed development will generate traffic during construction of the road works and Coire Glas itself. The use of low loaders during construction is constrained due to the topography and geometry of the current road.</p>	<p>A detailed Transport Assessment was provided within the EIA Report for Coire Glas, and permission is in place to use Kilfinnan Road for access to the lower works. A Transport Statement will be provided with the proposed planning application. This will focus on the proposed works and changes required to Kilfinnan Road and the forestry track(s) to facilitate the construction of Coire Glas PSH. It will set out how the construction period will be managed.</p> <p>The Transport Statement will:</p> <ul style="list-style-type: none"> Describe the changes to the existing junction with the A82 and any changes to access arrangements to properties along the route, including temporary and permanent changes; Identify construction spoil and movement numbers and provide the route for required construction traffic to and from the site; Identify any measures required for the safe operation of the site in respect of access and egress to and from the site; Identify measures to allow safe access and egress for all properties and businesses along the route to and from the site through the construction of the upgrade works; and Ensure recreational users, including those using the Great Glen Way will retain a means of access during the construction of the proposed upgrade works. <p>As a result of the above embedded mitigation, no potentially significant environmental effects are anticipated</p>
Ground Conditions	<p>Ground stability</p>	<p>Recent ground investigations along the route of the Kilfinnan road and the forestry track have informed the proposed design of the upgrade works. No issues of sensitivity have been identified and no potentially significant environmental effects are anticipated.</p>
Water infrastructure	<p>Potential impacts on private water supplies and water crossings.</p>	<p>The design of the proposals will follow the existing Kilfinnan Road and forestry track alignment as closely as possible. Deviations such as the offline temporary access road are only proposed as necessary to ensure that access can be maintained to road users and</p>

Topic	Potential Effects	Proposed Approach
		<p>provide appropriate space for safe construction of the road and bridge crossings</p> <p>Private water supplies are a known presence along the length of the Kilfinnan Road and CGHPS Ltd have commissioned a recent report on this aspect as a means of establishing the locations of the PWS assets along the road. A section of the contractor's construction environmental management plan will specifically address this aspect and identify mitigation measures to combat any disruption of supply or water quality. It is anticipated that the same planning condition that has been imposed on the consented scheme could be attached to any planning permission for the upgrade works being proposed here, to control this aspect.</p> <p>No potentially significant environmental effects are anticipated</p>
Flood Risk and Drainage	Potential surface water discharge	<p>A detailed Flood Risk and Drainage Assessment was provided within the EIA Report for Coire Glas, which considered the potential for upgrade works along the Kilfinnan Road.</p> <p>It is proposed that a Surface Water Drainage Assessment will be provided to specify the proposed drainage for the upgraded works. Such a report would be standard for any road construction scheme.</p> <p>No potentially significant environmental effects are anticipated.</p>
Noise & Vibration	The potential noise arising from the proposed development will be the construction period and traffic movement afterwards.	<p>A detailed Noise Assessment was provided within the EIA Report for Coire Glas and that identified one noise sensitive receptor along Kilfinnan Road for the proposed main works. A planning condition was imposed limiting the working hours for construction works within a specified distance of any residential property. It is anticipated that general working hours will be sufficient for the proposed works to ensure there is no likelihood of significant environmental effects arising.</p>
Archaeology and heritage	There are no recorded heritage assets on site or nearby and therefore no	No potentially significant environmental effects are anticipated

Topic	Potential Effects	Proposed Approach
	significant effects are anticipated.	
Air Quality	Traffic generated air quality impacts; Dust	No relevant Air Quality Management Areas (AQMA) affected by the proposal. Dust emissions will be kept to a minimum with embedded best practice measures as mitigation in the form of a CEMP for the upgrade works which will replicate many of the measures proposed in the CEMP for the main Coire Glas PSH works, including dust suppression techniques. As a result, no potentially significant environmental effects are anticipated.
Landscape and visual	Landscape and visual on residential and recreational receptors	Effects will be minimal in comparison to baseline conditions, with some temporary offline-road deviations proposed. No potentially significant environmental effects are anticipated as changes to an existing road will have very limited visibility in a landscape that already has a road feature.
Socio-economics, tourism and recreation	The development will not create significant socio-economic effects. Due to the nature of the proposals, the key consideration is access for residents and recreational users of the local area.	The socio-economic effects, being principally related to access, will be temporary. It will be minimised by retaining access for all residents and recreational users as an embedded principle of design. It is not considered that an assessment is required, although the effects of the proposed construction works will be highlighted in the Planning Statement accompanying the planning application. No potentially significant environmental effects are anticipated

Summary

Schedule 1 of the of the EIA (Scotland) Regulations 2017 sets out those developments for which an Environmental Impact Assessment will be mandatory. The proposed development does not fall into any development heading in this Schedule.

Schedule 2 to those Regulations relates to developments which may require an EIA depending on type of development (listed in Column 1 of Schedule 2) and thresholds/criteria that might apply (listed in Column 2 of Schedule 2). The development falls under *10. Infrastructure Projects*, and specifically *f. Construction of roads (unless included in Schedule 1)*. The threshold, above which an EIA screening opinion must be adopted is for development with an area of works exceeding 1 ha. The proposed development falls into this Schedule as it is proposed to be 37.8ha in total.

Schedule 3 sets out the criteria to consider when screening Schedule 2 development. The main criteria for assessment are as follows (and against which we review the proposed development):

- The characteristics of the proposed development – The development is not a major development within the hierarchy of developments and is local in context. The construction techniques for the proposed road upgrade works will use established methods and mitigation techniques that ensure the construction activities will not lead to significant adverse impacts such as waste, pollution, noise etc;
- The environmental sensitivity of the site – the existing land use is that of a rural road; the route is not located within any designated area of environmental sensitivity and as a road upgrade proposal to an existing road, the effects of the development can be mitigated within the constraints of the natural environment; and
- The characteristics of the potential impacts – the impacts are not hazardous or complex; are localised; and as demonstrated in the preceding sections of this letter are unlikely to give rise to potentially significant environmental effects as effects can be addressed through careful design and embedded mitigation.

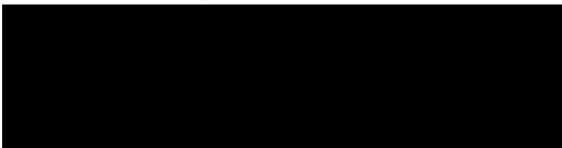
Based on the characteristics of the development outlined above, we consider that an EIA is not required for the proposed development.

To ensure Highland Council is properly informed about the current environmental baseline of the proposed development and that the environmental effects of it are fully considered and addressed, a suite of technical reports will be submitted with the local planning application. It is intended that these will include:

- Ecology Assessment;
- Surface Water Drainage Assessment;
- Transport Statement;
- Noise Data including proposed mitigation; and
- Planning Statement.

We therefore request the Council's EIA Screening Opinion with respect to the proposed development, and confirmation of status within the Hierarchy Regulations. We also welcome your comments on the scope of the proposed assessments to be submitted with the planning application.

Yours faithfully,



Steve Callan

Associate Planner

For and on behalf of Stantec UK

