



KILFINNAN ROAD IMPROVEMENTS

Planning Statement



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REPORT VERSIONS

Version	Author	Reviewer	Approver	Date
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1 Introduction

1.1 Background

This Planning Statement supports the planning application for improvements and upgrades to Kilfinnan Road to enable the delivery of the Coire Glas Hydro Pumped Storage National Development. The application is submitted on behalf of Coire Glas Hydro Pumped Storage Ltd. ('the applicant') to Highland Council (THC) as the relevant Local Planning Authority for determination under the Town and Country Planning (Scotland) Act 1997 (as amended).

Consent for Coire Glas was issued in October 2020 (ref. ECU00000577) under Section 36 of the Electricity Act 1989, with deemed planning permission under Section 57(2) of the 1997 Act (the 'principal development consents'). The principal development consents are for a scheme comprising a pumped storage hydro storage electricity generating station and ancillary development. The ancillary development includes access from the A82 east of the site along Kilfinnan Road and allows for the upgrade of the public road on its existing alignment. However, further detailed investigation of the feasibility of delivering the necessary improvements has resulted in a preferred design option that deviates from the existing alignment, meaning a separate planning application is therefore required.

To facilitate the Coire Glas scheme (the 'Coire Glas scheme'), planning permission is sought to upgrade the existing adopted Kilfinnan Road from the A82 junction to Kilfinnan Bridge and the non-adopted section between Kilfinnan Bridge and forestry gates (the 'Kilfinnan Road Proposal'). This will provide space for a two-way road which is to be maintained and operated by the Applicant for the duration of the main Coire Glas construction works for both public access and construction traffic, including for HGV and abnormal loads. Thereafter, it is proposed that reinstatement of this road to single-track with passing places, a section of parallel active travel route, and landscaping, would be delivered.

1.2 Purpose of the Planning Statement

The Town and County Planning (Scotland) Act 1997 (as amended) is the 'Principal Act' which regulates land use planning matters in Scotland. All applications for planning permission must be determined in accordance with the provisions of this legislation. Under Section 25 of this Act the determination of all planning applications must be made in accordance with the development plan applicable to the proposed site unless material considerations indicate otherwise.

The purpose of this Planning Statement is therefore to set the context and objectives for development before outlining relevant planning policies and guidance against which the application will be assessed by THC. This statement considers how the proposed development will comply with the development plan, including supplementary guidance, as well as other national policies and guidance and other relevant material considerations. The statement concludes with a robust justification for granting full planning permission for the proposed development.3.1

1.3 Application and Supporting Documents

A comprehensive set of assessments has been undertaken to assess the impacts of the proposal and to provide THC with detailed information to assist in its determination. In addition to this Planning Statement, the following information and assessments have been submitted in support of the application:

- ePlanning Application Forms and Landownership Certificate;
- Planning Statement including Sustainability Assessment (**this document**);
- Transport Statement;
- Environmental Impact Assessment Report (EIAR);
- Ecological Appraisal;
- Biodiversity Action Plan;

- Protected Species Plans;
- Habitat Management Plan; and
- The following plans and drawings:
 - Site Location Plan (Drawing reference LH000012-COIG-SID-SD-0002-01);
 - Site Layout Plan - Operational Stage 1 (LH000012-COIG-SID-SD-0002-02 sheets 1 - 16);
 - Site Layout Plans - Operational Stage 2 (LH000012-COIG-SID-SD-0002-03 sheets 1 – 16);
 - Site Layout Plan - Operational Stage 2: Areas of Interest (LH000012-COIG-SID-SD-0002-04 sheets 1 – 4);
 - Outline Landscaping Plan (122009-D-LSP sheets 1 – 14); and
 - Cross Sections and Long Sections (A82 junction, North Laggan Farmhouse and Kilfinnan Farm).

1.4 The Project Team

A project team comprised of qualified specialists and subject matter experts has prepared the information submitted in support of this application, and includes:

- Applicant & Project Manager – Coire Glas Hydro Pumped Storage Ltd;
- EIA & Planning Co-ordination – Stantec;
- Biodiversity - Envirocentre;
- Noise & Vibration – TNEI Ltd;
- Air Quality – SLR Consulting;
- Hydrogeology, Flood Risk & Drainage – SLR Consulting;
- Landscape & Visual – ASH;
- Traffic & Transport – Tetrattech.
- Private Water Supplies – High Water Ltd

1.5 Hierarchy of Development and Pre-Application Engagement

Hierarchy

The proposal does not constitute a ‘major application’, prescribed within the Town and Country (Hierarchy of Developments) (Scotland) Regulations 2009 as the proposed works are less than 8km in distance. It is therefore a local planning application. This scale of development does not require public consultation to be undertaken prior to submission of the application. However, as a matter of good practice and for transparency, the applicant has undertaken pre-application discussions with THC and other stakeholders.

Pre-application Engagement

The Applicant has also engaged with the local community.

An open meeting invitation was issued to Kilfinnan Road residents to join the applicant’s project team at a meeting at Glengarry Village Hall, either as individual properties or as a group. The purpose of the meeting was to provide an update on the design development of the proposed project. The meeting was held on 23 May 2023, where three residents from two households attended. A further three meetings with individual properties were then held on 24 May 2023.

A public information event was also held on 1 November 2023 at Glengarry Village Hall in order to provide an update on the proposed development and planning application submission date.

Properties within a 5km radius of the site were sent an invitational flyer, and an advert was published in the Lochaber Times on 26 October. Local ward Councillors were also invited, including to a session to review materials prior to the public event.

The event was attended by 34 people and a range of information was presented, and questions answered. The information displays were also made available [online](#).

2 The Proposed Development

2.1 Site Location

The site, which has a total area of 43.15 ha starts at the A82 / Kilfinnan Road junction and ends at the South Laggan Forest gate. Please see the Site Location Plan for further information (reference LH000012-COIG-SID-SD-0002-01).

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 to the north, 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 several watercourses.

Kilfinnan Road forms part of the Great Glen Way, a national long-distance route used by walkers, cyclists, and horse riders. The section southeast of Laggan Locks also serves as the Caledonia Way or NCN78 Oban to Inverness route. It is operated and maintained by The Highland Council (THC) including the associated structures.

Kilfinnan Road is accessed from the A82 to the east and continues beyond the site boundary to the south. 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.

There are several private properties along the boundary of Kilfinnan Road. The existing road is cut into the hill side to the north along the route. Land surrounding the Proposed Site is predominantly agricultural, grassland, woodland or rural properties. The waterbody of Loch Lochy, together with the Caledonian Canal, are the most notable features in the immediate area. To the west is elevated hill land and forestry where the approved Coire Glas scheme is located.

2.2 Relevant Natural and Built Environment Features

The site is situated within a wider area of natural and built environment features, including the Caledonian Canal, the Laggan Locks to Loch Oich Scheduled Monument, and wider Lochaber Geopark. The Geopark stretches from Rannoch Moor in the south to Glen Garry in the north, and from Loch Laggan in the east to the Small Isles of Eigg, Muck, Rum and Canna in the west and is recognised for its outstanding and unique geological heritage. The site also falls within the Loch Lochy and Loch Oich Special Landscape Area (SLA). In addition, the Great Glen Way follows the western shore of Loch Lochy. The site also sits entirely within the Blar Na Leine Inventory of Historic Battlefield designation. There are no ecological designations present within the proposed site boundary.

Scottish Environment Protection Agency (SEPA) flood mapping confirms flood extents are typically confined to the watercourses and loch corridors within the site. A slightly wider extent of flooding is noted near Ceann Loch situated at the Northeast end of Loch Lochy. Please see EIA Chapter 7 for further information.

2.3 Planning History

The following applications are of relevance to the proposed development.

ECU00000577: Consent for Coire Glas Pumped Storage Hydro facility was issued by the Energy Consents Unit (ECU) in October 2020 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 public road.

22/02648/SCRE: An EIA Screening Report was submitted to The Highland Council (THC) in June 2022 for redevelopment of Kilfinnan Road (this proposal). The Screening Opinion was issued in July 2022 from THC confirmed an Environmental Impact Assessment (EIA) would be required for this development.

22/05277/SCOP: An EIA Scoping Report was submitted to THC in October 2022. The Highland Council provided their Scoping Opinion on 18 January 2023 outlining the key issues considered

relevant to the proposal and advising on the matters required to be covered in the EIAR. The enclosed EIAR is based on this Scoping Opinion.

2.4 Description of Development

The proposed development will be delivered in three discrete stages, as summarised below:

Construction of Kilfinnan Road- construction works required to upgrade Kilfinnan Road to two-way, the works include a range of temporary measures described below.

Operational Stage 1- operation of the upgraded two-way Kilfinnan Road for the duration of the construction of the Coire Glas scheme.

Operational Stage 2- reinstatement of the adopted section of Kilfinnan Road to a single-track road with passing places, following completion of construction of the Coire Glas scheme, for permanent operation as the public road.

To facilitate the Coire Glas scheme the Description of Development for the proposal is:

“Improve, modify and widen approximately 4.6km of road from the A82 junction to the South Laggan Forest gate to form a two-way public road for the duration of the Coire Glas scheme construction, comprising:

- Widening of the A82 junction to facilitate abnormal load deliveries;
- road upgrades (modifications to horizontal and vertical alignments and construction of new sections of road) including associated site clearance; watercourse crossings and bridge structures; earthworks (i.e. cut and fill slopes); in-highway utility infrastructure; and drainage;
- Realignment or replacement of existing private water supplies;
- Construction of permanent and temporary active travel routes;
- Construction of an offline sealed-surface temporary diversion road for public and construction vehicle use for the duration of the Kilfinnan Road construction;
- temporary site compounds for welfare facilities, parking, plant, spoil and materials storage, material processing (crushing and screening) and mobile concrete batching; and
- a temporary main spoil storage compound at Kilfinnan Farm.

On completion of construction of the Coire Glas scheme the road will be reduced to a single-track road with passing places”.

The Operational Stage 1 road (drawing reference LH000012-COIG-SID-SD-0002-02 sheet 1 - 16) will support the HGVs and load combinations (in terms of dimensions, weight loading and turning radius / gradient capabilities) to travel safely along the route. Although Kilfinnan Road will be utilised for access to the lower works, the Caledonian Canal will also be used for larger loads unsuitable for road transport.

Thereafter, it is proposed that Operational Stage 2 be implemented (drawing ref LH000012-COIG-SID-SD-0002-03 sheet 1 – 16), becoming the public road in-perpetuity and serving as a continual operational route for the Coire Glas project.

The adopted road will be widened to 6.3 m and the unadopted section up to 10m. Public access will be maintained throughout.

The proposed development is outlined in detail under the relevant headings below.

2.5 Site Clearance

The site clearance related works includes the following:

- Tree felling: a number of trees will require to be felled within the areas of road and earthworks, as well as an area of plantation forestry west of Laggan Locks (Glengarry Lodges). Please note that where the removal of Junipers is required, these will be transplanted as outlined within the Ecological Appraisal;

- Dismantling of agricultural shed at North Laggan Farm. This will be stored and rebuilt elsewhere on a site to be determined at a later date (subject to a separate planning application, if required);
- Replacement of private water supply infrastructure;
- Removal and replacement of existing road surfaces and cattle grids;
- Removal and replacement of existing bridge structures and culverts;
- Removal and replacement of fencing, gates and road signs; and
- Dismantling and replacement of dry-stone dyke walls.

In relation to tree felling, there will be permanent removal of some coniferous commercial plantation woodland which amounts to approximately 3.1 ha. This woodland is identified by FLS for felling in the Glengarry Land Management Plan as part of standard forestry operations, regardless of the proposed Kilfinnan Road plans.

Limited tree felling is also required along Kilfinnan Road as a result of the proposed earthworks.

A scheme of compensatory planting for the equivalent area of trees permanently removed as part of the Kilfinnan Rd planning application will be delivered within the local area as part of the compensatory planting for the Coire Glas scheme.

2.6 Proposed Road Layout and Design (Operational Phase 1)

As per the 'National Roads Development Guide' (2014), the minimum surfaced road width required to facilitate two-way HGV movements is 6.3m. This is based on an HGV total width sizing of 3.0m (NRDG CL3.1.3).

The proposed upgrade shall follow the line of the existing road as much as practical, but in constrained areas it will have local sections of realignment.

The adopted road will be widened to 6.3 m and the unadopted section up to 10 m with verges between 0.5 and 1 m wide. Public access will be maintained throughout. The unadopted section of road width is proposed with additional earth works adjacent. Following further detailed design by the principal contractor, this width may decrease, and there may be the requirement for special geotechnical measures, which will be informed by further detailed ground investigation. The proposed design therefore assumes the worst-case scenario for the purpose of assessing potential impact.

Public access will be maintained during this stage, with a temporary active travel route from South Laggan Forest to Kilfinnan Burn, where the route will tie into the existing Kilfinnan Road with segregated access to the junction at Laggan Locks where users can choose continue along Kilfinnan Road or turn off to follow the route along the Caledonian Canal using the routes as at present (drawing ref) (Note, this alignment is indicative and subject to further detailed refinement by the principal contractor who will design the finalised details of the route). The proposed arrangements in this respect will be outlined within an Access Management Plan, which will be a conditional requirement attached to the permission.

A section of the existing Kilfinnan Road forms part of the Great Glen Way / Caledonian NCN78 as previously outlined. Access to the Great Glen Way / Caledonia Way (NCN78) will be maintained on the existing road alignment to ensure access is maintained at all times, and to segregate its users from construction traffic. Access to the hill route to Ben Tee, Coire Buidhe will be maintained throughout the project.

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

2.7 Watercourse Crossings

A new bridge across the Kilfinnan Burn is proposed, designed to current standards.

Two additional minor bridging structures are also proposed and will be designed to current standards. Please see EIA Volume 2 (figures 7.1 a - d) for further information in relation to the existing and proposed watercourse crossings.

2.8 Temporary Diversion Road

During construction of Kilfinnan Road, an offline sealed-surface (tarmac) temporary diversion road is proposed for use by the public and by construction vehicles, including for access to the Coire Glas scheme site, for part of the Kilfinnan Road.

The temporary diversion road (drawing reference LH000012-COIG-SID-SD-0002-02 sheet 1 - 16) is proposed to begin immediately southwest of the residential properties adjacent to the A82 junction at the northern extent of the Site boundary. It will run through the fields to the east of the existing road, avoiding residential properties and proposed site compounds to the west. Culverted crossings of the Cruinneachaidh and Oighre Burns will be installed to current standards. The road will tie-in immediately north of the residential property known as Stoneyfield, and from this point access will be maintained within the envelope of the existing road, where there is sufficient width for works in this location to take place offline.

There are currently 10 junctions from Kilfinnan Road that provide access to private properties, as well as various additional field accesses, which will be retained from the temporary diversion road, where required.

Following the construction of Kilfinnan Road for Operational Stage 1, the temporary diversion road will be removed and the land reinstated. Construction of the road is currently estimated to take approximately 18 months, although these timescales are dependent on the detailed programming to be determined by the appointed contractor.

2.9 Landscaping

Given the nature of the temporary diversion road, no formal landscaping works are proposed. The permanent road landscaping measures will involve the provision of grassed verges, and slopes, complemented by planting, where appropriate. An outline landscaping plan (reference 122009-D-LSP sheet 1 – 14) indicates areas for proposed landscaping, details of which will be prepared by the contractor appointed to design and build the road.

2.10 Operational Stage 2

Following completion of Operational Stage 1, the surfaced road will be reduced in width, given that it will no longer be required to facilitate the Coire Glas scheme's construction traffic.

This final state of the road will be constructed in the corridor formed to accommodate Operational Stage 1. The final road will be designed to THC Standards, in consultation with the Transport Planning Service through the Road Construction Consent Process and will generally comprise a 3.3 m wide single-track rural road with minimum 2m wide verges. Passing places will be located at maximum spacings of 150m, dependant on vertical and horizontal geometry requirements.

The permanent road will serve as a continual operational work route for the Coire Glas project.

An active travel route has been proposed to be delivered alongside part of Kilfinnan Road, as illustrated in drawing reference LH000012-COIG-SID-SD-0002-03 sheet 1 – 16. These facilities aim to promote sustainable forms of travel in the region and to provide links between long distance walking paths and to serve communities in the area. The proposed active travel solution is a shared path segregated from the adjacent carriageway by a verge between Kilfinnan Farm and the junction to the existing single-track road leading to Laggan Locks.

2.11 Construction Programme

It is anticipated that construction of Operational Stage 1 will commence in early 2025, however this is based on the assumption of securing relevant consents for the works and discharging any pre-commencement conditions.

The temporary road will be in place to facilitate the Coire Glas lower works construction phase. Following this, the permanent road will be constructed.

A high-level and indicative programme for the construction of the Kilfinnan Road up to Operational Stage 1 is set out in the table below.

Table 21:- Indicative Construction Programme

Task	M 1	M 2	M 3	M4	M5	M 6	M 7	M 8	M 9	M 10	M 11	M 12		M 13	M 14	M 15	M 16	M 17	M 18
Site Set Up	█	█																	
Temporary By-Pass Road Construction		█	█	█															
Kilfinnan Road Construction		█	█	█	█	█	█	█	█	█	█	█	█	█	█				
Structures					█	█	█	█	█	█	█	█	█	█	█				
Kilfinnan Road Surfacing														█	█				
Temporary By-Pass Road Removal															█	█			
Kilfinnan Road Finishing Works																	█	█	█

3 Planning Assessment

3.1 Introduction

This chapter sets out the principle of the proposed development and demonstrates its conformity with the development plan, other national policies and material considerations.

Consideration is given to:

- Relevant statutory provisions;
- Relevant national policies, advice and guidance;
- Statutory Development Plan applicable to the site, including relevant supplementary guidance; and
- Other material considerations, including local non-statutory planning guidance and any site-specific matters.

3.2 Principle of Proposed Development

The principle of delivering works along Kilfinnan Road to facilitate the Coire Glas scheme is already established through the principal development consents. The existing permission includes alterations to Kilfinnan Road on the existing alignment, and the proposed works effectively seek to vary what these works involve, and where they are required to take place.

3.3 Statutory Provisions

(Environmental Impact Assessment) (Scotland) Regulations 2017

Schedule 2 of the EIA Regulations provides that an EIA Report 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 43.15 ha in total. Screening and Scoping processes were undertaken with THC, as explained above, with THC's Scoping Opinion outlining key topics and issues considered relevant to the proposal and matters that required to be covered in the EIA. The results of the EIA are presented in the accompanying EIA Report which, as prescribed in the EIA Regulations, must include a "description of the likely significant effects" of the development.

The accompanying EIA Report conveys the findings of the assessment of potentially significant environmental effects during construction, operation and decommissioning of the proposed development. The EIA has sought to:

- Identify the likely environmental effects of the Proposed Development;
- Propose appropriate design and construction measures to mitigate likely significant environmental effects and maximise opportunities for environmental enhancements resulting from the construction and operation of the Proposed Development; and,
- Determine the level and significance in the context of the EIA Regulations of the likely residual environmental effects from the Proposed Development remaining after all proposed mitigation and enhancement measures have been considered.

3.4 Development Plan Policy

Under Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.

Tables 3.1 and 3.2 below demonstrate the proposal's conformity with the development plan and confirms that there are no material considerations which indicate that planning permission should not be granted. The development plan for the proposal currently comprises:

- National Planning Framework 4 (NPF4) – adopted 13th February 2023;
- Highland Wide Local Plan Development Plan (2012) and its Supplementary Guidance; and
- West Highland and Islands Local Development Plan (2019).

Where there are conflicts in policy between NPF4 and the Council's LDP, NPF4 takes precedence as it was adopted more recently than the LDP. For the proposed development and its compliance with planning policy and guidance the focus of the following assessment will be against the relevant policies within NPF4 as they are the most up to date.

National Planning Framework 4 (NPF4)

NPF4 represents Scotland's long-term plan to 2045 that guides spatial development, sets out national planning policies, designates national developments and highlights regional spatial priorities. NPF4 has refocused national planning policy upon the response to the growing climate and nature crises. The delivery of new renewable energy infrastructure is central to that response.

The approved Coire Glas development, which this proposal will facilitate the delivery of works, is defined as a National Development. Whilst NPF4 is clear that the national development designation does not override the need for a detailed assessment of each development against all relevant policies, it does mean that the principle of the overall development is supported. The national development status of Coire Glas is consequently a material consideration that provides weight in support of this proposal.

Strengthened support for renewable energy developments is also provided through Policies 1 and 11 of NPF4 which require significant weight to be placed on the climate crisis and on the contribution of developments to renewable energy and greenhouse-gas-emissions targets, respectively.

These policies provide additional support for the Proposed Development and are used to assess the proposals conformity with this part of the development plan, as outlined in table 2 below which identifies the relevant NPF4 policies, in addition to the proposal's compliance with these.

Table 31-: Relevant National Planning Framework 4 Policies (2023)

NPF4	Summary	Conformity
<p>Policy 1 (Tackling the climate and nature crises)</p>	<p>Development proposals should be considered against the global climate and nature crises, considering just transition, conserving assets and rural revitalization.</p>	<p>Policy 1 states that, when considering all development proposals, “significant weight will be given to the global climate and nature crises”. The main policy outcome is to create zero carbon, nature positive places. This proposal (Operational Phase 1) is to temporarily (up to 10 years) form access to enable the construction of the Coire Glas PSH lower reservoir works development (which has the potential to make a significant positive impact on climate change mitigation). Following this, the road will be reinstated to a single lane road with passing places (Operational Phase 2).</p> <p>Taking the proposal on its own, it is considered unlikely to have significant effects either way on/from Climate Change. The movement of vehicles and related construction activity on an upgraded Kilfinnan Road may impact on climate change using fossil fuels, however vehicle movements are minimal in a regional/national context and will last for a limited period during the construction phase. EIA Chapter 9 (Traffic and Transport) outlines that during construction, no significant effects are anticipated from a traffic flow perspective at any section of the A82 road within the study area. During construction, no significant effects are anticipated on Kilfinnan Road either, based on the fact that Kilfinnan Road can be classified as a receptor of low significance and any effects can be mitigated through amendments to the CTMP associated with the Proposed Development.</p>
<p>Policy 2 (Climate mitigation and adaptation)</p>	<p>Minimise emissions associated with development and ensure places are more resilient to impacts of climate change.</p>	<p>This proposal enables the delivery of a national renewable energy development, which will enable the transition to Net Zero, and in this regard, it is supported by Policy 2. Coire Glas will provide a maximum capacity of 1500 megawatts (MW), with an energy storage capacity of up to 30 Gigawatt Hours (GWh).</p>
<p>Policy 3 (Biodiversity)</p>	<p>Enhance biodiversity by strengthening nature networks & implementing nature-based solutions.</p> <p>Policy 3(b): development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore</p>	<p>To conserve, restore and enhance biodiversity, a range of interventions are proposed. Biodiversity net gain has also been factored into the development of the design for the proposal. This is covered in detail in the Ecological Appraisal and Outline Landscaping Plan (122009-D-LSP sheet 1 – 14) but, in summary, includes the proposed removal of Invasive Non-Native Species; retention and supplementary tree planting, where possible, including expanding native woodland and scrub habitats; enhancing roadside verge biodiversity through planting; provision of additional shelter and breeding habitat for protected and notable species; restoration and enhancement of earthworks slopes to create 3.7ha of species-rich native grass mixes; and the provision of an off-site area of approximately 3.1ha of compensatory planting.</p>

NPF4	Summary	Conformity
	and enhance biodiversity.	
Policy 4 (Natural Places)	<p>Policy 4(d) states that development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where:</p> <p>i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.</p>	<p>The Proposed Development site is entirely located within the Loch Lochy and Loch Oich Special Landscape Area, a non-statutory designation identified by THC.</p> <p>EIA Chapter 8 (Landscape and Visual) concludes that any significant landscape and visual effects arising from the construction of the Proposed development would occur within a very localised area and would be temporary, during the construction stage only. In the longer term, when the road would be narrowed to 3.3 m with passing places, all effects are predicted to be negligible.</p>
Policy 5 (Soils)	Protect carbon-rich soils and peatlands and minimise disturbance to soils for development.	<p>EIA Chapter 7 considers the impact of the proposal on soils. Chapter 7 states that best practice construction techniques that would safeguard soils will be incorporated into the design. Subject to the adoption of the best practice techniques, no significant likely effects on soils have been identified during the construction and operational phases of the proposed development.</p>
Policy 6 (Forestry, woodland and trees)	Ensure development proposals enhance and improve woodland and tree cover. Where woodland is removed, compensatory planting will most likely be expected to be delivered.	<p>Tree removal within the proposed site boundary is predominantly that being undertaken by Forest and Land Scotland through its Glengarry Land Management Plan, however there are additional areas of tree felling, which will be required, primarily where earthworks are proposed.</p> <p>The Ecological Appraisal and Biodiversity Action Plan considers the extent of tree or woodland loss resulting from the Proposed Development, the impact of this loss and sets out mitigation and enhancement measures.</p> <p>The level of woodland loss caused by the proposed development is considered to be small in scale as neither the proposed works nor the working corridor is predicted to impact on many trees to the immediate north or south of Kilfinnan Road. However, to ensure compliance with Scottish Forestry requirements and NPF4 Policy 6, the applicant is already committed to compensatory planting locally for the</p>

NPF4	Summary	Conformity
		wider Coire Glas development and this is proposed to be replicated with this proposal.
<p>Policy 13 (Sustainable transport)</p>	<p>This policy outlines development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies.</p> <p>Policy 13(e) states that proposals which are “ambitious in terms of low car parking will be supported”. Policy 13 (f) notes that proposals for travel generating uses will be required to monitor travel patterns resulting from the development and be accompanied by a Travel Plan.</p>	<p>Chapter 9 – Traffic and Transport of the EIAR has assessed the impacts of the proposed development on travel and transport, and the mitigation required for these impacts. A Construction Traffic Management Plan (CTMP) will be prepared to manage the development. The following measures will be implemented during the construction phase to prevent environmental impact caused by transport:</p> <ul style="list-style-type: none"> • All material delivery lorries (dry materials) will be sheeted to reduce dust and stop spillage on public roads; • Specific training and disciplinary measures will be established to ensure the highest standards are maintained to prevent construction vehicles from carrying mud and debris onto the carriageway; • A wheel wash facility will be established, in the vicinity of the Site entrance, if required; • Proposed working hours are 0700 – 1900, Monday to Friday, and 0800 – 1400 on Saturday. There shall be no construction traffic movements to or from the Proposed Development outwith these hours, without prior agreement with the Planning Authority. In the event of work being required out with these hours (e.g., commissioning works, or emergency mitigation works), the Planning Authority will be notified prior to them taking place; • Avoidance of transit through any rural communities identified, during arrival and departure times of school buses, with all construction traffic following the designated access route; • Appropriate traffic management measures will be put in place at the Site entrance, off the A82, to avoid conflict with general traffic, subject to agreement with THC; • Typical additional measures will include construction traffic speed limit, HGV turning and crossing signage and/or marshals at the Site entrance; and • Provision of construction updates on the project website and to the established Community Liaison Group. <p>Drivers will attend an induction which will include a safety briefing, identification of specific sensitive areas, identification of the specified access route and the need for appropriate care and speed control.</p>

NPF4	Summary	Conformity
		<p>Public access will be maintained during Operational Phase 1, with a temporary active travel route from South Laggan Forest to Kilfinnan Burn, where the route will tie into the existing Kilfinnan Road with segregated access to the junction at Laggan Locks where users can choose to either continue along Kilfinnan Road or turn off to follow the route along the Caledonian Canal using the routes available as at present, illustrated in drawing references LH000012-COIG-SID-SD-0002-02 (sheet 1 – 16).</p> <p>An active travel route has been proposed to be integrated into the permanent works of Kilfinnan Road, as illustrated in drawing reference LH000012-COIG-SID-SD-0002-03 sheet 1 – 16. These facilities aim to promote sustainable forms of travel in the region and to provide links between long distance walking paths and to serve communities in the area. The proposed active travel solution is a 2.5m-wide shared path segregated from the adjacent carriageway by a verge between Kilfinnan Farm and the junction to the existing single-track road leading to Laggan Locks.</p> <p>Furthermore, a temporary diversion road will be constructed and operated for the period of Kilfinnan Road's construction, which will be available for use by all modes.</p>
<p>Policy 14 (Design, quality and place)</p>	<p>This policy seeks to “encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle”.</p> <p>Policy 14 (a) notes that development must be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.</p>	<p>This policy is applicable to the proposed development as the design of the development will improve the current condition and usability of Kilfinnan Road. The proposed development will not adversely affect the sense of place of the site as the upgraded permanent road is expected to appear similar within the landscape to the existing rural road after construction of Coire Glas. The proposed active travel route will ensure public rights of access will be maintained and prevent risk of interaction between construction traffic and any walkers and cyclists who use the route.</p>
<p>Policy 20 (Blue and green infrastructure)</p>	<p>NPF4 Policy 20 seeks to “protect and enhance blue and green infrastructure and their networks”.</p> <p>Policy 20 (a) notes that the development proposals must demonstrate that they would not</p>	<p>This policy is applicable to the proposed development due to the potential impacts on the Great Glen Way. During operational phase 1, access to the Great Glen Way / Caledonia Way (NCN78) will be maintained on the existing road alignment to ensure access is maintained at all times, and to segregate its users from construction traffic.</p> <p>The path will return to its original position after construction of the Coire Glas scheme.</p> <p>Biodiversity net gain has been factored into the development of the design for the proposal. This is covered in detail in the Ecological Appraisal and on the Outline Landscaping Plan</p>

NPF4	Summary	Conformity
	<p>result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained.</p>	<p>(122009-D-LSP sheet 1 – 14) but, in summary, includes the proposed removal of Invasive Non-Native Species; retention and supplementary tree planting, where possible, including expanding native woodland and scrub habitats; enhancing roadside verge biodiversity through planting; provision of additional shelter and breeding habitat for protected and notable species; restoration and enhancement of earthworks slopes to create 3.7ha of species-rich native grass mixes; and the provision of an off-site area of approximately 3.1ha of compensatory planting.</p>
<p>Policy 22 (Flood risk and water management)</p>	<p>This policy seeks to “strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding”</p> <p>Policy 22(c) notes that development proposals must not increase the risk of surface water flooding and manage all rain and surface water through sustainable drainage systems.</p>	<p>Chapter 7 - Geology, Hydrology and Hydrogeology of the EIA includes a full assessment on the impact on the water environment resulting from the Proposed Development and sets out mitigation and enhancement measures.</p> <p>It concludes that best practice construction techniques that will safeguard soils, geology and the water environment will be incorporated into the proposal, and that subject to the adoption of the best practice, no significant likely effects on soils, geology or the water environment have been identified during the construction and operational phases of the proposed development.</p>
<p>Policy 23 (Health and safety)</p>	<p>This policy seeks to protect people and places from environmental harm, mitigate risks arising from safety hazards, and encourage development that improves health and wellbeing.</p>	<p>EIA Chapter 5 (Noise and Vibration) concludes that no significant effects are expected to occur as a result of construction noise during the daytime (07:00-19:00 weekdays, 08:00 – 14:00 Saturdays) and no significant effects are expected to occur as a result of construction vibration.</p> <p>Chapter 6 – Air Quality of the EIA considers the impacts if air quality on health and safety. Potential effects associated with the Proposal that are considered within the Air Quality Chapter include:</p> <ul style="list-style-type: none"> ▪ Effects associated with dust/particulate matter generated from temporary onshore construction activities upon sensitive human and ecological receptors; and ▪ Public health and ecological effects associated with a temporary change in pollutants arising from construction generated traffic flows.

NPF4	Summary	Conformity
		Chapter 6 sets out a suite of mitigation which, once implemented, will mean the development is assessed as having no significant effects in terms of Air Quality.
Policy 29 (Rural development)	<p>This policy seeks to encourage rural economic activity, whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced.</p> <p>Policy 29(b) notes that development proposals in rural areas should be suitably scaled, sited, and designed to be in keeping with the character of the area.</p>	This policy is applicable to the proposed development simply by the fact that it is an existing rural road in a rural location. In relation to Policy 29 (b) the scale of the proposed development is necessary to ensure the best possible access to the Coire Glas site during the construction period. Any effects will be temporary as, following the construction period, it is proposed that Kilfinnan Road is to be returned to a more rural scale with a 3.3 metre wide road with passing places along the route. The road surface, topography, passing places and existing bridges will be a significant improvement on the existing situation but will remain in keeping with the current character of the area. Improved access to all residents and tourism properties are proposed, but these works are relatively minimal in nature.

3.5 Local Development Plan

In relation to NPF4, the adopted Development Plan includes the Highland Wide Local Development Plan (2012) and West Highland and Islands Local Development Plan (2019).

The relevant policies in addition to the proposals compliance with these is outlined under the headings below.

Highland-wide Local Development Plan (adopted April 2012)

The Highland-wide Local Development Plan (LDP) was adopted by the Highland Council in April 2012 and sets out the overarching vision, spatial strategy and general planning policies to guide development across the local planning authority for a 20-year period. The relevant planning policies are outlined below.

Table 32-: Highland Wide LDP Policy (2012)

LDP Policy	Summary	Conformity
Policy 28 (Sustainable Design)	The policy outlines how proposals should demonstrate sensitive siting and high-quality design in keeping with local character and historic and natural environment and in making use of appropriate materials.	<p>Assessment against THC’s Sustainable Design Supplementary Guidance Criteria is detailed in Section 4 of this Planning Statement. It is considered that the Proposed Development meets the requirements of this policy, in so far as they are relevant.</p> <p>Conformity with this policy has also been assessed by the criteria of NPF4 Policy 14 (Design, Quality and Place) In table 2 above.</p>

	All development proposals must demonstrate compatibility with the Sustainable Design Guide: Supplementary Guidance	
Policy 29 (Design Quality and Place-Making)	Proposals should demonstrate sensitivity and respect towards the local distinctiveness of the landscape, architecture, design and layouts in their proposals. Proposals should have regard to the historic pattern of development and landscape in the locality and should, where relevant, be an integral part of the settlement.	Chapter 8 – Landscape and Visual Impact Assessment considers the impact of the development on its surroundings. It assesses that the proposed development will not result in significant effects as the upgraded road is expected to appear similar within the landscape to the existing road after construction of the Coire Glas scheme.
Policy 30 (Physical Constraints)	This policy outlines that developers must consider whether their proposals would be located within areas of constraints such as flooding, ground stability, and consider impacts on land, air and water environments.	Chapter 7 – Geology, Hydrology and Hydrogeology of the EIAR, and the Ecological Appraisal consider the impacts of the proposal on the physical landscape and water environments. Chapter 6 (Air Quality) considers the impacts on air quality and details any mitigation measures.
Policy 51 (Trees and Development)	This policy supports development which promotes significant protection to existing hedges, trees and woodlands on and around development sites. The acceptable developable area of a site is influenced by tree impact, and adequate separation distances will be required between established trees and any new development. Where appropriate a woodland management plan will be required to secure management of an existing resource. The policy is supported by the Trees, Woodland and Development	The Ecological Appraisal and Biodiversity Action Plan considers the extent of forestry and woodland loss resulting from the Proposed Development, the impact of this loss and sets out mitigation and enhancement measures. Conformity with this policy is as per what has been set out within table 2 in relation to NPF4 Policy 6 (Forestry, Woodland and Tree's) above.

	Supplementary Guidance.	
Policy 55 (Peat and Soils)	Proposals should avoid and mitigate any disturbance to peat and soils.	EIA Chapter 7 considers the impact of the proposal on soils, and confirms that no peat deposits are within the site boundary or wider study area. Chapter 7 states that best practice construction techniques that would safeguard soils will be incorporated into the design. Subject to the adoption of the best practice techniques, no significant likely effects on soils have been identified during the construction and operational phases of the proposed development.
Policy 56 (Travel)	Development proposals must consider transport impacts and quantification of impacts on the local road networks.	Chapter 9 (Traffic and Transport) of the EIA assesses the impacts of the proposed development on travel and transport, and the mitigation required for these impacts. No significant effects are anticipated from a traffic flow perspective at any section of the A82 road within the study area. During construction, no significant effects are anticipated on Kilfinnan Road either, based on the fact that Kilfinnan Road can be classified as a receptor of low significance and any effects can be mitigated through amendments to the CTMP which will be prepared for the Proposed Development.
Policy 57 (Natural, Built and Cultural Heritage)	All development proposals should consider the level of importance and type of heritage features, the form and scale of the development, and any impact on the feature and its setting.	This policy is applicable to the proposed development as the site sits entirely within the Blar Na Lelne Inventory Battlefield designation. However, cultural heritage and archaeology were scoped out of the EIAR and no potentially significant effects on this designation are anticipated.
Policy 58 (Protected Species) Policy 59 (Other Important Species) Policy 60 (Other Important Habitats and Article 10 Features)	These policies set out the need to avoid significant adverse effects on the integrity or special qualities of international or nationally designated natural and built environment sites.	A Protected Species Survey accompanies the application to ensure impacts on any protected species are avoided. In the Proposal's scoping stage, NatureScot advised that the qualifying features of the South Laggan Fen SSSI will not be affected by the proposal. A protected species plan will be put in place along with pre-checks for protected species ahead of site clearance and construction. Please see the Ecological Appraisal for further information.
Policy 61 (Landscape)	New developments should be designed to reflect the landscape characteristics and	Chapter 8 (Landscape and Visual Impact) of the EIAR set out the impacts and mitigation of the development on landscape and visual impact. This concludes that any significant landscape and visual effects arising from the

	special qualities identified in the Landscape Character Assessment of the area in which they are proposed.	construction of the Proposed development would occur within a very localised area and would be temporary, during the construction stage only. In the longer term, when the road would be narrowed to 3.3 m with passing places, all effects are predicted to be negligible.
Policy 62 (Geodiversity)	This policy supports development proposals that include measures to protect and enhance geodiversity interests of international, national and regional/local importance in the wider countryside.	EIA Chapter 7 (Geology, Hydrology and Hydrogeology) concludes that subject to the adoption of the best practice techniques, no significant likely effects on geology have been identified during the construction and operational phases of the proposed development.
Policy 63 (Water Environment)	This policy supports proposals for development that don't compromise the objectives of the Water Framework Directive (2000/60/EC), aimed at the protection and improvement of Scotland's water environment.	Chapter 7 - Geology, Hydrology and Hydrogeology of the EIA includes a full assessment on the impact of the development on the water environment. Conformity with this policy has been assessed by the criteria of NPF4 Policy 22 (Flood Risk and Water Management) in table 2 above.
Policy 64 (Flood Risk)	Development proposals should avoid areas susceptible to flooding and promote sustainable flood management. Development proposals within or bordering medium to high flood risk areas should be accompanied by a Flood Risk Assessment.	Chapter 7 - Geology, Hydrology and Hydrogeology of the EIAR includes a full assessment on the impact on the water environment resulting from the Proposed Development and sets out mitigation and enhancement measures. A Flood Risk Assessment has also been prepared as part of this chapter. Conformity with this policy is as per NPF4 Policy 22 (Flood Risk and Water Management) as addressed within table 2.
Policy 66 (Surface Water Drainage)	All proposed development must be drained by Sustainable Drainage Systems (SuDS) designed in accordance with The SuDS Manual (CIRIA C697). Each drainage scheme design must be accompanied by particulars of proposals for ensuring long-term maintenance of the scheme.	It is proposed to adopt Sustainable Drainage Systems (SuDS) as part of the proposed development, at the detailed design stage. The principles and size(s) of the attenuation measures provided onsite will be agreed with THC as detailed designs are prepared through the Road Construction Consent (RCC) process. The proposed SuDS will be designed in accordance with the SuDS Manual C697 published by CIRIA. Good practice in relation to the management of surface water runoff rates and volumes would include the following: <ul style="list-style-type: none"> ■ Drainage systems would be designed to ensure that any sediment, pollutants or foreign materials which may cause

		<p>blockages are removed before water is discharged into a watercourse;</p> <ul style="list-style-type: none"> ■ Onsite drainage would be subject to routine checks to ensure that there is no build-up of sediment or foreign materials which may reduce the efficiency of the original drainage design causing localised flooding; ■ Appropriate drainage would attenuate runoff rates and reduce runoff volumes to ensure minimal effect upon flood risk; and ■ Where necessary, check dams would be used in order to prevent trenches developing into preferential flow pathways. <p>An Outline Drainage Design has been prepared as part of Chapter 7 – Geology, Hydrology and Hydrogeology of the EIAR. This details the principles for the control, treatment and attenuation of runoff from the proposed development. Conformity with this policy will be assessed by the criteria of NPF4 Policy 22 (Flood Risk and Water Management) in the Principle of Proposed Development section below.</p>
<p>Policy 67 (Renewable Energy Developments)</p>	<p>Proposals should contribute to meeting renewable energy generation targets and avoid significant environmental impacts.</p>	<p>This proposal facilitates through improved access the Coire Glas PSH development, which has the potential to make a significant impact on meeting net-zero, renewable energy targets.</p> <p>Conformity with this policy is as per the criteria of NPF4 Policy 1 (Tackling the Climate and Nature Crisis) which has been assessed in table 2 above.</p>
<p>Policy 72 (Pollution)</p>	<p>This policy states a detailed assessment of the potential pollution is provided to show how the pollution can be appropriately avoided and if necessary mitigated. Developments that are subject of Environmental Impact Assessment will be expected to follow a robust project environmental management process.</p>	<p>EIA Chapter 5 (Noise and Vibration) concludes that no significant effects are expected to occur as a result of construction noise during the daytime (07:00-19:00 weekdays, 08:00 – 14:00 Saturdays) and no significant effects are expected to occur as a result of construction vibration.</p> <p>Chapter 6 (Air Quality) of the EIAR includes a full assessment on the impacts on air quality resulting from the Proposed Development and sets out mitigation measures.</p> <p>Furthermore, Chapter 7 (Geology, Hydrogeology and Hydrogeology) states that good practice measures in relation to pollution prevention will be undertaken.</p>
<p>Policy 73 (Air Quality)</p>	<p>Proposals which may adversely affect the air quality in an area to a level which could cause</p>	<p>Chapter 6 (Air Quality) of the EIAR provides a full assessment on the impacts on air quality resulting from</p>

	harm to human health and wellbeing or the natural environment must be accompanied by appropriate provisions, such as an Air Quality Assessment, which demonstrates how such impacts will be mitigated.	the Proposed Development and sets out mitigation measures. Conformity with this policy is as per what has been set out within table 2 above in relation to NPF4 Policy 23 (Health and Safety).
Policy 77 (Public Access)	This policy seeks to protect core paths and retain wider public access.	A section of the existing Kilfinnan Road forms part of the Great Glen Way / Caledonian NCN78. Access to the Great Glen Way / Caledonia Way (NCN78) will be maintained at all times, and, where appropriate, segregated from motorised vehicles as shown in the Operational Stage 1 plan (reference LH000012-COIG-SID-SD-0002-02 sheet 1 - 16). Access to the hill route to Ben Tee, Coire Buidhe will be maintained.
Policy 78 (Long Distance Routes)	This policy safeguards and seeks to enhance long distance routes and their settings.	

The Highland-Wide LDP is also supported by several Supplementary Guidance documents, those relevant to the proposed development are:

- Highland Renewable Energy Strategy (adopted May 2006);
- Assessment of Highland Special Landscape Areas (adopted June 2011);
- Flood Risk and Drainage Impact Assessment Supplementary Guidance (adopted January 2013);
- Sustainable Design Guidance (adopted Jan 2013);
- Trees, Woodland and Development Supplementary Guidance (adopted January 2013);
- Highland Statutorily Protected Species Supplementary Guidance (adopted March 2013);
- Physical Constraints Supplementary Guidance (adopted March 2013); and
- Highland Forest and Woodland Strategy (adopted November 2018).

The guidance outlined within these documents has been fully considered and has informed the proposed development.

West Highlands and Islands Local Development Plan (adopted September 2019)

The West Highlands and Islands Local Development Plan ('WestPlan') is a spatial document which focuses on where development should and should not occur across the West Highland and Islands area, comprised of Wester Ross, Skye and Lochalsh and Lochaber, over the next 20 years.

Whilst there are no immediate policy implications within WestPlan for development of the nature and extent proposed, paragraph 1.48 acknowledges that: "there are a number of sections of the transport network where improvements are necessary to ease current pressures, support the delivery of future development".

As the proposals are critical to enabling the consented Coire Glas PSH scheme, they therefore have the sole intention of supporting the delivery of future development within the area and in the long term will not provide much more than a localised improvement.

National Planning Policy Advice and Guidance

Scottish Government Planning Advice Notes (PAN) which set out detailed advice in relation to relevant planning issues are:

- PAN 51: Planning, Environmental Protection and Regulation (2006).
- PAN 60: Planning for Natural Heritage (2000).
- PAN 61: Planning and Sustainable Urban Drainage Systems (2001).
- PAN 75: Planning for Transport (2005).
- PAN 79: Water and Drainage (2006).
- PAN 3/2010: Community Engagement (2010).
- PAN 1/2011: Planning and Noise (2011).
- PAN 1/2017: Environmental Impact Assessment Regulations (2017).
- Flood Risk: Planning Advice (2015).

Furthermore, relevant guidance developed by the Scottish Government's key agencies include:

- Land Use Planning System Guidance Note 2a: Development Management Guidance on Flood Risk.
- Risk (Version 2) (SEPA, 2018).
- Fitting Landscapes (Transport Scotland, 2014).
- Roads for All – Good Practice Guide for Roads (Transport Scotland, 2013).
- Development Management Guidance (Transport Scotland, 2012).

The guidance outlined within these documents has been fully considered and has informed the proposed development.

4 Sustainability Statement

4.1 Introduction

The Highland Council requires developments to be designed in line with the HwLDP Policy 28 (Sustainable Design) and the Sustainable Design Guide Supplementary Guidance. The chapter below sets out the design strategy and evolution for Kilfinnan Road, and the compliance of the proposed development with the Sustainable Design Checklist set out in the supplementary guidance.

Policy and guidance

HwLDP Policy 28 – Sustainable Design

Policy 28 Sustainable Design of the Highland Wide Local Development Plan (2012) (HwLDP) sets out the requirement for all developments to be designed in the context of sustainable development and outlines criteria for proposed developments to be assessed against. The Council will support developments which promote and enhance the social, economic and environmental wellbeing of the people of Highland. When THC assess proposed developments, they will consider the extent to which they:

- Are compatible with public service provision (water and sewerage, drainage, roads, schools, electricity);
- Maximise energy efficiency in terms of location, layout and design, including the utilisation of renewable sources of energy and heat;
- Are affected by physical constraints described in the Physical Constraints on Development Supplementary Guidance;
- Demonstrate that they have sought to minimise the generation of waste during the construction and operational phases;
- Impact on individual and community residential amenity;
- Impact on non-renewable resources such as mineral deposits of potential commercial value, prime quality agricultural land, or approved routes for road and rail links;
- Impact on the following resources, including pollution and discharges, particularly within designated areas:
 - Habitats
 - Freshwater systems
 - Species
 - Marine systems
 - Landscape
 - Cultural heritage
 - Scenery
 - Air quality
 - Demonstrate sensitive siting and high-quality design in keeping with local character and historic and natural environment and in making use of appropriate materials; and
 - Contribute to the economic and social development of the community.

Sustainable Design Supplementary Guidance 2013

Policy 28 of the HwLDP is supported by THC's Sustainable Design Guide Supplementary Guidance which is based on four key sustainable design principles:

- Conserving and enhancing the character of the Highland area;
- Using resources efficiently;
- Minimising the environmental impact of development; and
- Enhancing the viability of Highland communities.

The proposed development has been designed with regard to the provisions of Policy 28 and its supporting Sustainable Design Supplementary Guidance. The over-arching aim to encourage development which contributes to sustainable development has guided all aspects of the proposed development from site selection through to the finalised design.

4.2 Sustainable Design Checklist

The Sustainable Design Supplementary Guidance contains a checklist to be used to ensure development proposals meet the minimum design requirements. THC acknowledges that not all elements of the checklist are appropriate to all developments. The checklist items relevant to the proposed development and how they have been considered and reported on within this application are listed in Table 4 below.

Table 41-: Highland Council Sustainability Checklist

Checklist Topic	Proposed Development
Layout, scale, proportion, materials, construction and finishing	The proposed road upgrade shall follow the line of the existing road as much as practical, but in constrained areas it will have local sections of road realignment. The construction of the Proposed Development will utilise land and construction materials (stone, asphalt, piping, etc), soil (reused from onsite resources wherever practicable) and seeded grass or turf will also be used for landscaping purposes. From a sustainability perspective, where possible, excavated material from the construction process will (depending on type) be used to backfill excavations and for site re-profiling purposes. Remaining spoil will be reused on the wider Coire Glas site and will minimise any spoil having to be taken off-site. Overall, the upgraded road is expected to appear similar within the landscape to the existing road after construction of Coire Glas.
Landscaping	Given that the construction phase road is temporary in nature but is expected to last up to 10 years, formal landscaping works are proposed. The road landscaping measures will involve the provision of grassed verges, and slopes, complemented by planting, where appropriate. An outline landscaping plan (reference 122009-D-LSP sheets 1 – 14) indicates areas for proposed landscaping. and will provide the baseline for landscaping measures following the construction of Coire Glas.
Cultural Heritage	The site sits entirely within the Blar Na Lelne Inventory Battlefield designation, however no potentially significant effects of the proposed development on this designation have been identified. The proposed development will therefore have a neutral impact on cultural heritage.
Natural Heritage	The Ecological Appraisal reports the findings of the assessment of the sites ecology and proposes mitigation to protect and enhance the ecological value of the site. A Protected Species Survey accompanies the application to ensure impacts on any protected species are avoided. The Protected Species Plan will be put in place

	<p>along with further checks for protected species ahead of any site clearance and construction.</p>
Enhancing wildlife	<p>Whilst biodiversity has been scoped out of the EIA for the proposal an ecological appraisal has been undertaken to update the baseline from the Coire Glas Scheme EIA, including habitat and protected species surveys, with appropriate mitigation, in the form of biodiversity action plans, identified for the scheme to ensure there is no adverse impact and opportunities for enhancement are explored.</p>
Flooding	<p>Scottish Environment Protection Agency (SEPA) flood mapping confirms flood extents are typically confined to the watercourses and loch corridors. A slightly wider extent of flooding is noted near Ceann Loch situated at the northeast end of Loch Lochy. Onsite drainage will be subject to routine checks to ensure that there is no build-up of sediment or foreign materials which may reduce the efficiency of the original drainage design causing localised flooding. Appropriate drainage will attenuate runoff rates and reduce runoff volumes to ensure minimal effect upon flood risk.</p> <p>Chapter 7 of the EIAR, Geology, Hydrology and Hydrogeology, provides full detail of the flood risk assessment and mitigation strategy. No significant adverse impacts are anticipated that would affect the proposed road modifications or properties along the route.</p>
Surface water runoff	<p>Filter drainage system running alongside the proposed road upgrade will be the preferred method of surface water drainage, this will then tie into the existing drainage networks. Surface water runoff from the new sections of road will be treated prior to discharge into watercourses or large waterbodies as appropriate.</p> <p>It is proposed to adopt Sustainable Drainage Systems (SuDS) as part of the proposed development, at the detailed design stage. The principles and size(s) of the attenuation measures provided onsite will be agreed with THC as detailed designs are prepared through the Road Construction Consent (RCC) process. The proposed SuDS will be designed in accordance with the SUDS Manual C697 published by CIRIA.</p>
Site management	<p>A Construction Environmental Management Plan (CEMP) will be developed and submitted to Highland Council for approval. The CEMP will be updated as the development progresses and implemented throughout the construction phase.</p> <p>Measures proposed to be incorporated into the CEMP are set out in EIA Report Chapter 12 - Schedule of Mitigation and Monitoring.</p> <p>During the construction phase, it is anticipated that the daily two-way flows on Kilfinnan Road will increase from a predicted future baseline daily average of 263 vehicles to 273 vehicles, with the majority being of HGV type.</p> <p>Appropriate Traffic Management measures will be agreed with THC as part of the Construction Traffic Management Plan. It is anticipated that a suitably worded condition would require this with the grant of planning permission for the proposal.</p> <p>Appropriate flood, sedimentation and pollution risk management measures will be adopted, including appropriate materials handling measures and site management procedures.</p>

	<p>Construction waste is expected to include typical non-hazardous materials such as off-cuts of timber, bricks, wire, fibreglass, cleaning cloths, paper, materials and packaging. These will be sorted and recycled if possible or disposed of to an appropriately licensed landfill by the relevant contractor appointed (whether directly by the Applicant or a sub-contractor).</p> <p>Temporary construction compounds and laydown areas will be established within the site for the duration of the construction phase. These areas are indicative and all of them may not be required, depending on land agreements and the construction methods prepared by the principal contractor for the works. The extent of these compounds is therefore a worst-case scenario. The temporary compounds would include welfare facilities, a kitchen and a mess room; storage and laydown for equipment, plant and construction vehicles; and areas for storage of materials including oils and fuel.</p> <p>Areas of the compound which represent an increased pollution risk, e.g., oil or fuel storage and vehicle refuelling, would be bunded and drained into an isolated holding tank for treatment and disposal. Drainage would be directed to an oil interceptor to prevent pollution if any spillage occurred.</p>
<p>Transport</p>	<p>During construction of Kilfinnan Road, an offline sealed-surface (tarmac) temporary diversion road is proposed for use by the public and construction vehicles, including for access to the Coire Glas scheme site, for part of the Kilfinnan Road.</p> <p>The temporary diversion road is proposed to begin immediately southwest of the residential properties adjacent to the A82 junction at the northern extent of the site boundary. It will run through the fields to the east of the existing road, avoiding residential properties and proposed site compounds to the west. Culverted crossings of the Cruinneachaidh and Oighre Burns will be installed to current standards. The road will tie-in immediately north of the residential property known as Stoneyfield, and from this point access will be maintained within the envelope of the existing road, where there is sufficient width for works in this location to take place offline.</p> <p>There are currently 10 junctions from Kilfinnan Road that provide access to private properties, as well as various additional field accesses. Following delivery of the Kilfinnan Road improvements some properties will have safer access and egress, and the temporary diversion road will be removed and the land reinstated.</p>
<p>Pedestrians and cyclists</p>	<p>During construction, public rights of access will be maintained, with a temporary active travel route from South Laggan Forest to Kilfinnan Burn, where the route will tie into the existing Kilfinnan Road with segregated access to the junction at Laggan Locks where users can choose to either continue along Kilfinnan Road or turn off to follow the route along the Caledonian Canal using the routes available as at present.</p> <p>Post-construction, the active travel route has been proposed to be integrated into the permanent works of Kilfinnan Road, as agreed with THC and Sustrans and illustrated in drawing reference LH000012-COIG-SID-SD-0002-03 sheet 1 – 16. These facilities aim to promote sustainable forms of travel in the region and to provide links between long distance walking paths and to serve communities in the area. The proposed active travel solution is a shared path segregated from the adjacent carriageway by a verge between Kilfinnan Farm and the junction to the existing single-track road leading to Laggan Locks.</p> <p>A section of the existing Kilfinnan Road forms part of the Great Glen Way / NCN78 as previously outlined. Access to the Great Glen Way / NCN78 will be maintained on the existing road alignment ensure access is maintained at all times, and to</p>

	segregate its users from construction traffic. Access to Loch Lochy Munros will be maintained.
Efficient use of land	<p>The purpose of the proposed development is to provide construction phase related access to the lower works area of the Coire Glas site. Kilfinnan Road is the only suitable road option in this respect, given that there are no other existing routes which could readily facilitate the necessary access. The principle of this approach is already established through the existing Coire Glas Scheme.</p> <p>The proposed scheme is considered to be the most suitable access route for the development and can accommodate the proposal without unacceptable adverse impacts. It represents a unique locational opportunity to accommodate the proposed access and the proposed layout is considered to present the best balance of development on this site. Following the overall construction period, the road will return to being rural in nature (3.3m wide with passing places) but with improvements in place that will benefit all users.</p>

4.3 Summary

The proposed development aligns with the HwLDP Policy 28 and the sustainable design criteria contained in the supplementary guidance. The proposal is for temporary works and the upgraded road is expected to appear similar within the landscape to the existing road after construction of Coire Glas. The proposal and in particular the EIAR takes into account all impacts on natural and cultural heritage, landscape, transport and flooding and provides mitigation measures to align with this sustainable design criteria. It is concluded that the proposed development is the most suitable way to facilitate the works for the already consented scheme of Coire Glas which is a National Development that is key to achieving Scotland’s renewable energy and net-zero targets.

5 Summary and Conclusion

To facilitate the Coire Glas scheme, planning permission is sought to temporarily upgrade the existing adopted Kilfinnan Road from the A82 junction to Kilfinnan Bridge and the non-adopted section between Kilfinnan Bridge and forestry gates (the 'Kilfinnan Road Proposal'). This will provide space for a two-way road which is to be maintained and operated by the Applicant for the duration of the main Coire Glas construction works for both public access and construction traffic, including for HGV and abnormal loads. Thereafter, it is proposed that permanent reinstatement of this road to single-track with passing places, a parallel active travel route, and landscaping would be delivered.

During development of the construction phase road, an offline sealed surface (tarmac) temporary diversion road is proposed for use by the public and construction vehicles, including for access to the main Coire Glas scheme site.

An active travel route is proposed as part of the permanent road works. This is to comprise a shared path adjacent to the carriageway between Kilfinnan Farm and the junction to the existing single-track road leading to Laggan Locks.

Access to the Great Glen Way / Caledonia Way (NCN78) will be maintained on the existing road alignment to ensure access is maintained at all times, and to segregate its users from construction traffic. Access to the hill route to Ben Tee, Coire Buidhe will be unaffected.

The principle of delivering works along Kilfinnan Road to facilitate the Coire Glas scheme is already established through the extant consent for the wider Coire Glas project.

The approved Coire Glas development is defined as a National Development. The national development status of Coire Glas is consequently a material consideration that provides weight in support of this proposal.

Strengthened support for renewable energy developments is also provided through NPF4 Policies 1 and 11 which require significant weight to be placed on the climate crisis and on the contribution of developments to renewable energy and greenhouse-gas-emissions targets, respectively.

The proposal will result in Biodiversity Net Gain through the removal of Invasive Non-Native Species; retention and supplementary tree planting where possible; enhancing roadside verge biodiversity through planting; provision of additional shelter and breeding habitat for protected and notable species; restoration and enhancement of earthworks slopes to create 3.7ha of species-rich native grass mixes; and the provision of an off-site area of approximately 3.1ha of compensatory planting.

In addition to the felling of the commercial woodland trees, limited tree felling is also required along Kilfinnan Road as a result of the proposed earthworks. To ensure compliance with NPF4 Policy 6 (Forestry, Woodland and trees), A scheme of compensatory planting for the equivalent area of trees felled as part of the Kilfinnan Rd planning application will be delivered within the local area.

EIA Chapter 5 (Noise and Vibration) concludes that no significant effects are expected to occur as a result of construction noise during the daytime (07:00-19:00 weekdays, 08:00 – 14:00 Saturdays) and no significant effects are expected to occur as a result of construction vibration.

EIA Chapter 6 in relation to Air Quality outlines that worst-case parameters have been adopted to provide a robust assessment and following the implementation of recommended mitigation measures, effects on human and ecological receptors are not considered to be significant.

EIA Chapter 7 (Geology, Hydrology and Hydrogeology) states that best practice construction techniques that would safeguard soils, geology and the water environment will be incorporated into the proposal. Subject to the adoption of the best practice, no significant likely effects on soils, geology or the water environment have been identified during the construction and operational phases of the proposed development.

EIA Chapter 8 (Landscape and Visual) concludes that any significant landscape and visual effects arising from the construction of the Proposed development would occur within a very localised area and would be temporary, during the construction stage only. In the longer term, when the road would be narrowed to 3.3 m with passing places, all effects are predicted to be negligible.

EIA Chapter 9 (Traffic and Transport) outlines that during construction, no significant effects are anticipated from a traffic flow perspective at any section of the A82 road within the study area. During construction, no significant effects are anticipated on Kilfinnan Road either, based on the fact that Kilfinnan Road can be classified as a receptor of low significance and any effects can be mitigated through amendments to the CTMP associated with the Proposed Development,

In considering this submission, the substantive merits of the proposed development and accordance with the development plan as outlined, it is our conclusion that this application should meet with a positive recommendation for approval of Planning Permission in Principle by the planning authority.

