



Planning and Access Committee

Meeting: 24th April 2023

Agenda item: 4

SUBMITTED BY: Stuart Mearns, Director of Place

APPLICATION NUMBER:	2022/0272/DET
APPLICANT:	SSEN Transmission
LOCATION:	Site between Sloy Switching Station (NGR 30964 09246) and terminating in the vicinity of the Allt Derigan Burn in Glen Mallan (NGR 25955 96469), located to the east of Craggan Hill.
PROPOSAL:	Construction of temporary access tracks and upgrades to existing tracks to allow for the refurbishment of the overhead line (cross boundary application)
NATIONAL PARK WARD:	Ward 1 - Cowal and North Loch Lomond
COMMUNITY COUNCIL AREA	Arrochar and Tarbet
CASE OFFICER:	Name: Jennifer Paton Tel: 01389 727738 E-mail: jennifer.paton@lochlomond-trossachs.org

1. Summary and Reason for Presentation

- 1.1. This application is for temporary planning permission for the installation of access tracks to facilitate upgrades of the existing overhead lines (OHL).
- 1.2. This application requires to be determined by the Planning and Access Committee in accordance with paragraphs 5.1 and 5.8 of the National Park Authority's Scheme of Delegation because the development falls within the category of 'major' as defined under the 2009 Regulations and is an application which requires to be handled jointly with a neighbouring planning authority.

2. Recommendation

- 2.1. That Members:

<p>APPROVE the application subject to the conditions set out in Appendix 1 of the report.</p>

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3. Background

Introduction

- 3.1. The Sloy to Windyhill overhead line (OHL) is a 132kv double pylon circuit running from Sloy Switching Station north of Arrochar to Windyhill Substation which is located south of the National Park boundary on the east side of Loch Long. The overhead lines are owned by Scottish Power Energy Networks (SPEN) and Scottish and Southern Electricity Networks Transmission. The OHL distributes power from Sloy Hydro Electric Power Station to the National Grid network.
- 3.2. The existing OHL was built in 1951 and requires to be upgraded to maintain the integrity of energy supply and to help facilitate the Network for Net Zero that SSEN Transmission are working to deliver. The upgrades are also required as the OHL has been subject to steelwork corrosion. The solution is to reconductor and refit the lines and refurbish the towers, replace and upgrade the earth wire and make upgrades to the tower foundations. The proposed upgrades are exempt from requiring planning permission under the Overhead Lines (Exemption) (Scotland) Regulations 2013. A network of temporary access tracks and track upgrades, however, are required to get equipment to the remote locations and these works require planning permission.

Site Description

- 3.3. The application site (Figure1) lies within both the Loch Lomond and Trossachs National Park Authority area and the Argyll and Bute Council administrative area and covers c.447 ha (396ha within the National Park).
- 3.4. The section of the OHL within the application site extends around 14.5km. From north to south it passes from Sloy Switching Station, over Inveruglas Water and through a forest clearing at the head of Glen Loin. It then follows the valley of Glen Loin south before turning eastwards up the hillsides around the east of Succoth and Arrochar and across the A83, close to the junction with the B838. It then follows the route of the Three Lochs Way along the eastern side of Loch Long, above the railway line, along the lower slopes of Tullich Hill, across the Glen Douglas Road (Tulloch Road) where it intersects with the National Park boundary. From here it continues through Argyll & Bute's administrative area to Windyhill Substation.

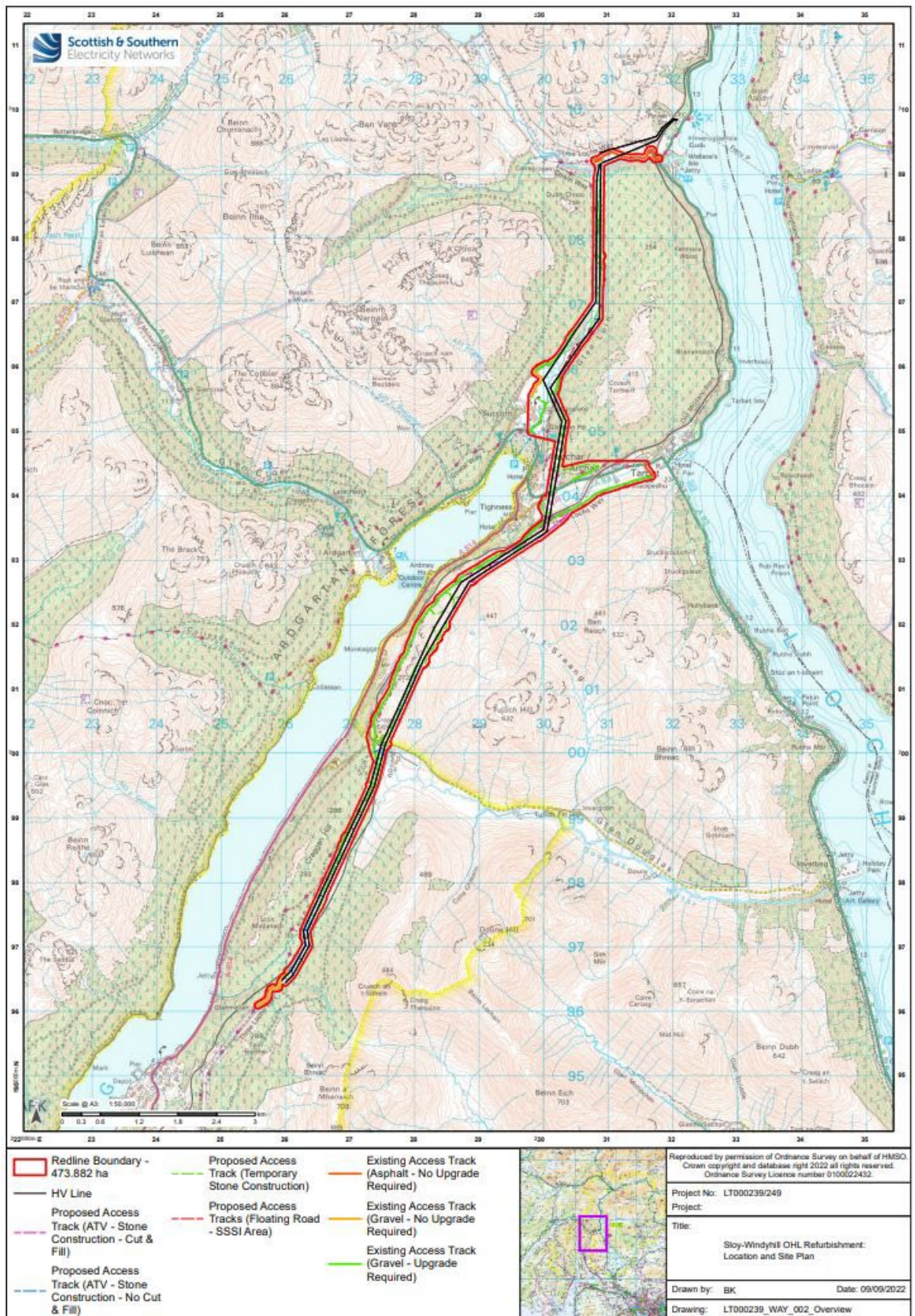


Figure 1 Location Plan showing the application site outlined in red

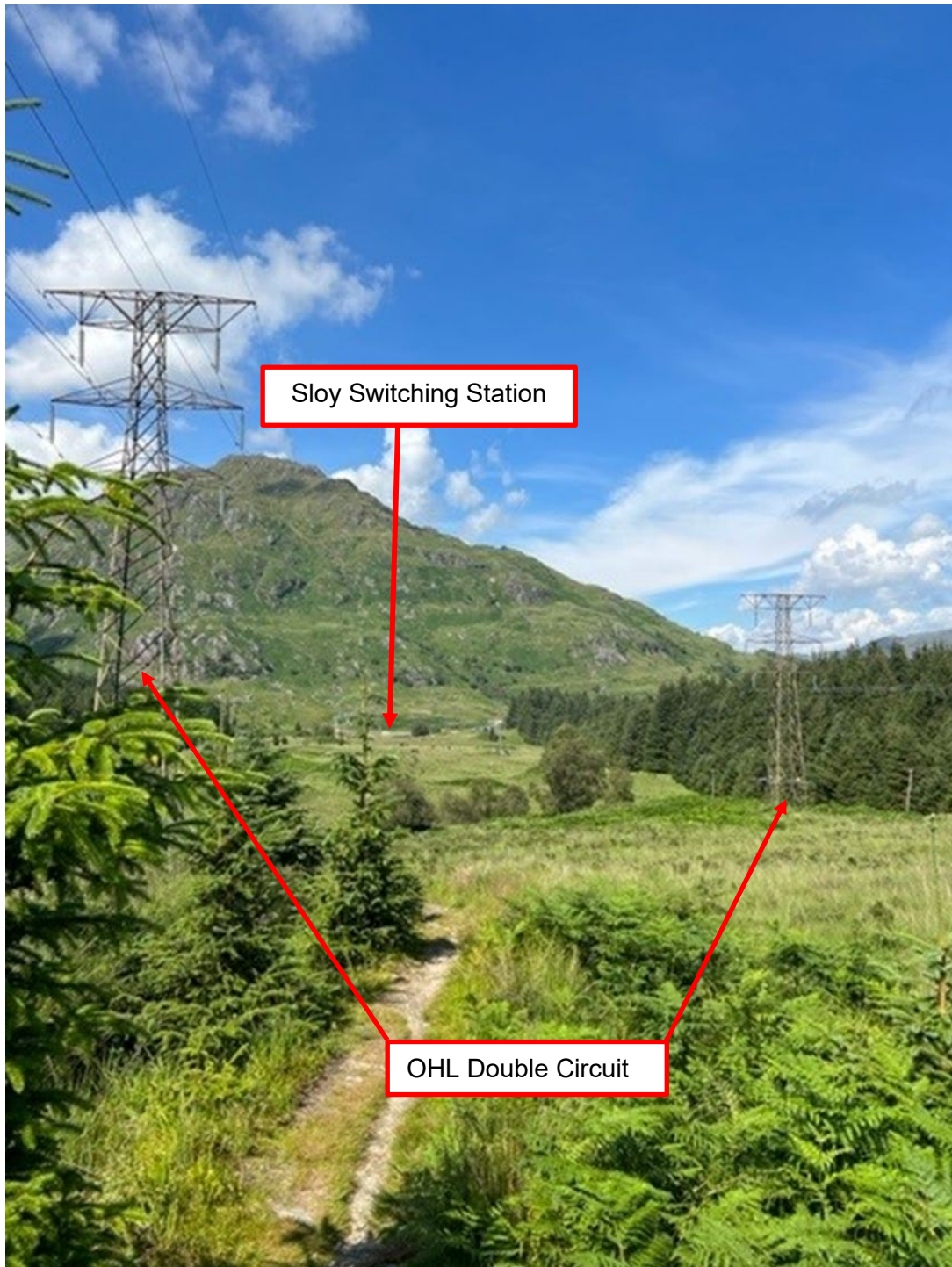


Figure 2: Photograph from the Three Lochs Way Core Path at the head of Glen Loin - showing the view northwards towards Sloy Switching Station through the forest clearing



Figure 3: Photograph from the Three Lochs Way Core Path at the head of Glen Loin showing the view southwards down Glen Loin towards Succoth and Arrochar through the forest clearing



Figure 4: View from Core Path looking south through Glen Loin towards Succoth and Arrochar



Figure 5: View from the Three Lochs Way Core Path just north of Succoth, view north up the lower section of Glen Loin



Figure 6: Photograph from the Three Lochs Way Core Path between Arrochar and Glen Douglas (looking north)



Figure 7: Photograph of the transmission line near the boundary with the National Park and Argyll & Bute administrative area (looking south)

- 3.5. The OHL passes through a variety of terrains and recorded tree-related land use inventories, including Ancient Woodland Inventory and Native Woodland Survey. The site includes the Loch Lomond Wood SAC and Glen Loin SSSI which lie adjacent to a section of the OHL route north of Arrochar. The SAC can be seen in Figure 9 (below) and the full extent of the SSSI can be seen in Figure 17.

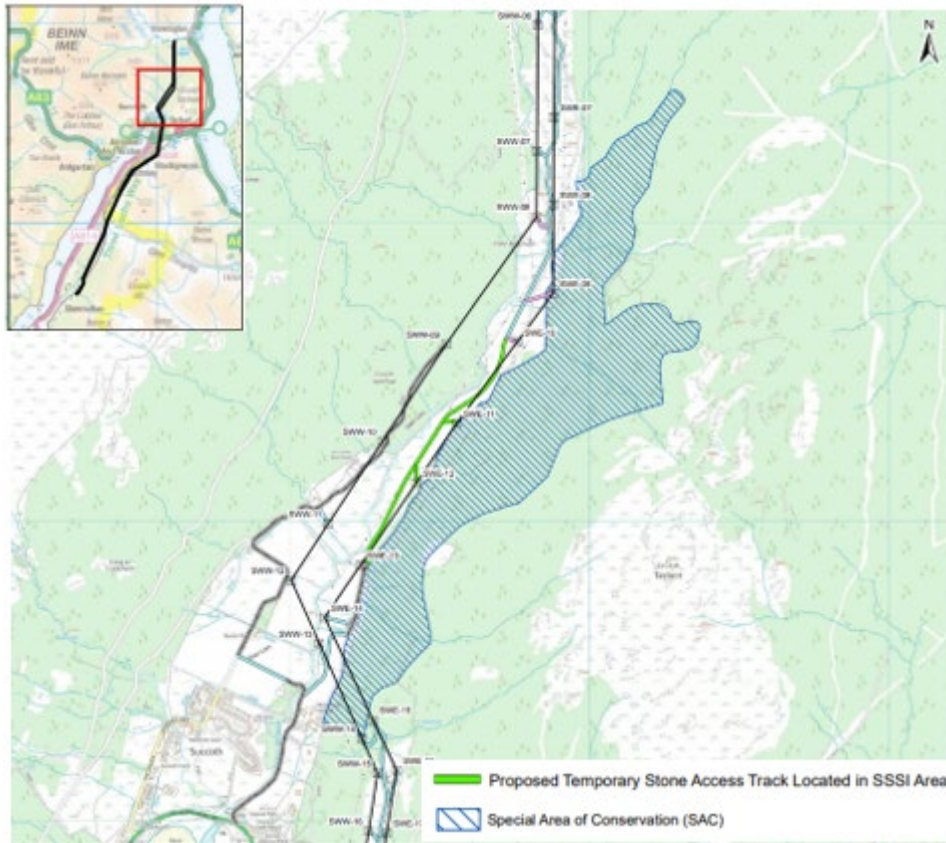


Figure 8: Map showing the Loch Lomond Wood Special Area of Conservation (SAC) and location of the proposed temporary tracks within the Glen Loin SSSI (adapted extract from SSER HRA Report (September 2022))

Description of Proposal

- 3.6. The proposal involves the creation of temporary tracks, upgrading and/or use of existing access routes to facilitate the upgrades of the OHL and thereafter, full removal of the temporary tracks and reinstatement of existing routes.
- 3.7. The width of the application corridor includes a buffer (or limit of deviation) to allow for flexibility in the final siting of the temporary access tracks (up to 50m either side of the indicatively proposed access track locations) following further investigation of sub-surface and geotechnical conditions and in response to any unforeseen ecological constraints which may require micro-siting adjustments to the route.
- 3.8. The submitted 'Design and Access Statement Figures' detail the existing track types that are to be utilised (with upgrades as appropriate) and proposed locations of the temporary tracks along the whole OHL route. The temporary track types include a combination of All Terrain Vehicle (ATV) tracks (with and without cut and fill), stone tracks and floating stone tracks.
- 3.9. The application includes detailed 'typical' cross sections of the variety of temporary track types that would be utilised across the various terrains. For the areas of steep topography and cross slopes, temporary stone tracks have been specified. In areas of peat, it is proposed to remove the peat and layer a geotextile membrane with stable rock formation on top. Floating road is proposed through the Glen Loin SSSI and Loch Lomond Woods SAC.

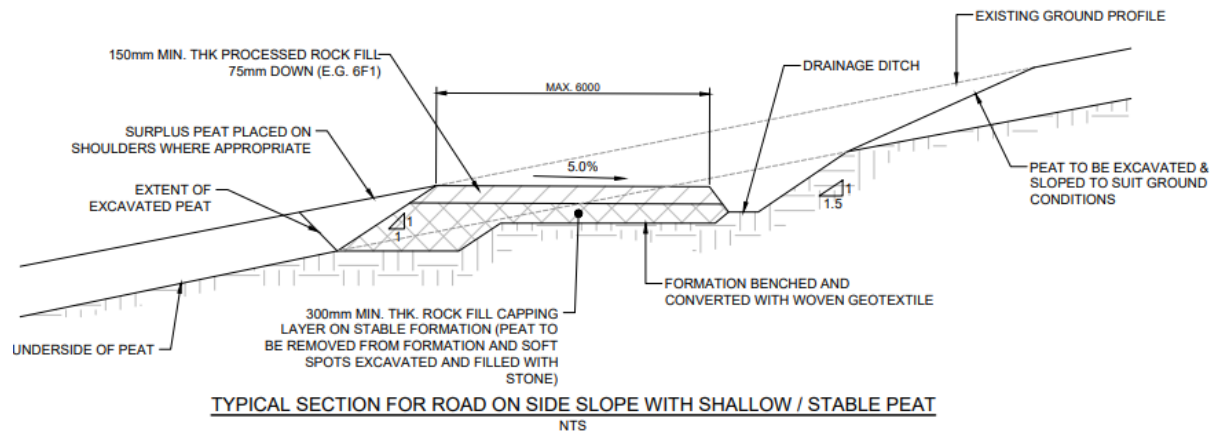


Figure 9: Technical drawing of proposed typical section through road in areas of shallow peat

- 3.10. As a maximum the tracks (new or as proposed to be widened) would measure 6m in width. The widened sections of track would be reinstated to their original width following the completion of the OHL works.
- 3.11. The applicant states that the construction process for the proposed works will comprise the following key stages:
- Establishment of temporary construction compounds
 - Access track construction including bell mouths, passing places and other road improvements as agreed with Argyll and Bute Council as Roads Authority
 - Installation of tower foundations
 - Installation of temporary wood pole circuit diversions
 - Repair of towers (where required)
 - Conductor Stringing including construction of temporary scaffolding
 - Overhead Line (OHL) commissioning
 - Removal of existing redundant equipment, conductors and towers
 - Removal and reinstatement of temporary roads, tower location sites and decommissioning of bell mouths.
- 3.12. A primary construction compound is proposed north of Glenloin Crescent in Succoth, accessed from the A83 via the east side of the Loin Water along the existing Stronafyne track. The proposed compound will provide office accommodation and welfare facilities for staff involved in the project. The proposed office buildings will be two storeys in height and on site for a period of up to 20 months. The compound area will provide a safe area for staff and heavy vehicle parking away from public highways as well as temporary storage of materials, plant and equipment. A second construction compound is proposed to the west of Glen Douglas. The compound areas would be regraded and revegetated on completion of construction.
- 3.13. Other smaller temporary satellite construction compound locations are proposed along the route (within 50m limits of deviation). These areas will be used for temporary storage of materials, plant and equipment, and temporary parking of vehicles.

Key Junctions

- 3.14. Access from the main roads to the tracks will mostly be via existing junctions, with some upgrades to the bell mouths required to accommodate the construction vehicles. Key access points are via Inveruglus (access point 1 from the A.82) in the north and off the

A83 opposite the car park in Arrochar (access point 4), which then heads northwards to Stronafyne cottage and to the proposed compound site.



Figure 10: Photograph of Access point 1 – Inveruglus to Sloy switching station at the A82 (Extract from Google Maps Street View)



Figure 11: Photograph of Access Point 4 – Arrochar approaching Succoth (A83) (Extract from Google Maps Street View)

- 3.15. On the north side of the A83 west of Tarbet, upgrades will be required to an existing agricultural access just west of the Cadet Training Centre (Access Point 7).



Figure 12: Photograph of the location of proposed Access Point 7 on the A83 west of Tarbet (looking east) – upgrades required (Extract from Google Maps Street View)

- 3.16. Within the southern section access is proposed via an existing access south of Ballyhennan Crescent, Tarbet (access point 9) which will carry vehicles up onto the Three Lochs Way. Further access to this route is available from the opposite end at the Glen Douglas Road in the south (access point 10 and 12), thus avoiding the need for heavy vehicles to cross the water course (by the Community hydro powerhouse) in this section. Between Tarbet and Arrochar some new accesses are proposed to provide small spurs to access stretches of the OHL.



Figure 13: Photograph showing location of (existing) Access point 9 – opposite Ballyhennan Crescent (A83) (Extract from Google Maps Street View)



Figure 14: Photograph showing location of Access point 10 – Tulloch Road (Glen Douglas) (Extract from Google Maps Street View)



Figure 15: Photograph showing Access point 12 (onto Three Lochs Way from Tulloch Road) (Glen Douglas) (Extract from Google Maps Street View)

Traffic Movements

- 3.17. Traffic movements to site would include deliveries of steelwork, hardcore, fuel deliveries and personnel traffic. The National Park Authority will be advised on final traffic numbers through submission of a Traffic Management Plan by the appointed contractor, including a full list of daily construction movements. The largest vehicles anticipated to require access being road legal, standard articulated lorries, including low loaders importing construction equipment and mobile cranes (60 tonnes) required for the erection of

towers and installation of conductors. No oversized vehicles (over 18.3m length or 2.9m width) are anticipated to need access to the development site.

- 3.18. Subject to planning permission, the applicant proposes to commence construction on site in May 2023, with access works proposed between May 2023 and October 2023. The programme expects completion of OHL by October 2024 and construction complete (including track reinstatement) by June 2025.
- 3.19. Construction activities would generally be undertaken during daylight hours between 07:00 to 19:00 in the summer and 07:30 to 17:30 in the winter (as daylight allows), seven days a week. All deliveries are proposed during weekday hours only. Further details would be agreed through a Construction Environmental Management Plan.

Pre-Application Consultation (PAC)

- 3.20. The Proposal of Application Notice (PAN) was submitted to Loch Lomond and Trossachs National Park Authority and Argyll and Bute Council on 18 May 2022 (ref. 2022/0161/PAC). SSEN has undertaken pre-application discussions with the relevant authorities. As part of the statutory engagement process, one in-person consultation event took place and a virtual event. During the five-week consultation period the Sloy to Windyhill OHL webpage was viewed 30 times. The PAC report provides detail of engagement and feedback from local industry and the community. Key issues arising from the consultation process were in respect of traffic management and continuity of power supply.

4. Environmental Impact Assessment

- 4.1. The National Park is identified as a 'Sensitive Area' within the Environmental Impact Assessment (EIA) (Scotland) Regulations 2017. The development falls within Schedule 2 of the Regulations under subsection 10 (f) (construction of roads). The National Park Authority therefore has a statutory duty to consider whether proposals for development should be subject to the EIA process.
- 4.2. A formal EIA Screening Request was submitted on 17 February 2022 (planning reference PSC/2022/0002). In June 2022 the Loch Lomond and Trossachs National Park Planning Authority adopted a screening opinion that an Environmental Assessment was not required. This opinion considered that there would be low probability of any significant effects having regard to the criteria set out in Schedule 3 of the EIA Regulations and, in particular, having regards to the scale and characteristics of the proposed land use in the location proposed.
- 4.3. Notwithstanding, that an EIA is not required, the applicant has opted to include a voluntary Environmental Assessment (EA) as part of the supporting information.

5. Habitat Regulations Assessment

- 5.1. The Habitats Regulations require that where an authority concludes that a development proposal is likely to have a significant effect on a European site (Special Protection Area (SPA) or Special Area of Conservation (SAC)) it must undertake an Appropriate Assessment (AA) of its implications for the European site in view of the site's conservation objectives.
- 5.2. A Habitat Regulation Appraisal Screening and Appropriate Assessment Report - SSEN HRA Report (SSEN, September 2022) was submitted in support of the proposal to

address the potential impacts of the proposal on European sites. This information was reviewed by the National Park's Ecologist and Nature Scot and it was determined that an Appropriate Assessment was not required.

6. Summary of Supporting Information

6.1. The applicant has submitted the following documentation in support of the planning application:

- Environmental Assessment (EA) prepared by WSP - A non-statutory assessment to identifying appropriate environmental management and mitigation.
- Construction Environmental Management Plan prepared by Omexon Morgan Sindall
- Construction Traffic Management Plan prepared by Omexon Morgan Sindall
- Design and Access Statement prepared by SSEN
- Options Appraisal SSEN
- General Environmental Management Plan prepared by SSEN
- LVIa viewpoints prepared by WSP
- Species Protection Plans prepared by WSP – including Fresh Water Pearl Mussel, Badger Species Protection Plan, Bat Species Protection Plan. Otter Species Protection Plan
- Biodiversity Net Gain prepared by WSP
- Forest Impact Assessment - prepared by WSP
- Habitat Regulation Screening Report and Appropriate Assessment prepared by WSP

7. Consultations and Representations

7.1. The full content of the below consultations and representations is available to view on the National Park Authority's Public Access website by entering reference 2022/0272/DET at <https://eplanning.lochlomond-trossachs.org/OnlinePlanning>.

Responses to Consultations

7.2. Nature Scot

7.3. No objections. Nature Scot are of the view that the proposal is unlikely to have a significant effect of the qualifying interests of Loch Lomond Woods Special Area of Conservation (SAC) or Glen Loin Site of Special Scientific Interest (SSSI) either directly or indirectly. They advise that an appropriate assessment is not required.

Scottish Environment Protection Agency (SEPA)

7.4. No objection on the understanding that conditions are applied to minimise the potential impacts upon peat and GWDTE.

West of Scotland Archaeological Society

7.5. No objection. WOSAS recommends an appropriate condition to secure the implementation of a programme of archaeological works. The condition would be used to secure any further survey work required to define the physical extents of any features at risk of direct physical impacts and to allow appropriate exclusion areas to be defined.

In the event that it is not possible to fully avoid these sites, the condition would then allow for a suitable programme of mitigation fieldwork to be developed.

Transport Scotland

- 7.6. No objection subject to a series of conditions to secure further consultation on access point 7 (requires to be upgraded/improved as a direct access onto the A83), implementation of an agreed Construction Traffic Management Plan, abnormal loads to obtain prior approval from Transport Scotland and approval of signage and temporary traffic control measures.

Argyll & Bute Roads Authority

- 7.7. Argyll and Bute Roads raised no objection to the proposal.

Scottish Water

- 7.8. No objections. The response includes information for the applicant regarding works in the vicinity of Scottish Water Assets.

Representations Received

- 7.9. One letter of representation has been received from the Helensburgh and District Access Trust which commented that *“the proposed access roads should inflict minimal damage and maximum benefit for the designated ‘Three Lochs Way’ which lies close to the planned access roads.”*

8. Policy Context

The Development Plan

- 8.1. Section 25 of the Town and Country Planning (Scotland) Act 1997 states that planning applications are to be determined in accordance with the Development Plan unless other material considerations indicate otherwise. The Development Plan comprises the National Planning Framework 4 (NPF4), Loch Lomond & The Trossachs National Park Local Development Plan (LDP) (adopted 2016) along with Supplementary Guidance (SG).

National Planning Framework 4 (NPF4) (Feb 2023)

- 8.2. NPF4 is the fourth National Planning Framework for Scotland. It sets out the Scottish Governments priorities and policies for the planning system up to 2045 and how the approach to planning and development will help to achieve a net zero, sustainable Scotland by 2045. NPF4 supports the achievement of six overarching spatial principles (just transition, conserving and recycling assets, local living, compact urban growth, rebalanced development, and rural revitalisation) through the planning and delivery of sustainable, liveable and productive places. NPF4 contains 33 policies to guide development management decisions. The following NPF4 policies are relevant to this proposal:

Policy 1 – Tackling the Climate and Nature Crisis

Policy 3 – Biodiversity

Policy 4 – Natural Places

Policy 5 – Soils

Policy 6 – Forestry Woodland and Trees
Policy 7 – Historic Assets and Places
Policy 11 – Energy
Policy 13 – Sustainable Transport
Policy 14 – Design Quality and Place

- 8.3. The full policy can be viewed online at: [National Planning Framework 4 - gov.scot \(www.gov.scot\)](https://www.gov.scot/national-planning-framework-4)

Local Development Plan (2017-2022) (LDP)

- 8.4. The LDP sets out the vision for how the National Park should change over the next 20 years. The LDP covers the period from 2017 to 2021 and is intended to be updated every 5 years. The policies of NPF4 and the LDP are aligned in many policy areas. However, where NPF4 differs from the LDP in its policy approach or emphasis, greater weight is attached to NPF4 as the more recent policy. To avoid repetition, the planning assessment (Section 8) leads with consideration of the LDP policies. Where there is difference or divergence or silence, relevant NPF4 policies are considered. The following LDP policies are relevant to the determination of this application:

Overarching Policy 1: Strategic Principles
Overarching Policy 2: Development Requirements
Transport Policy 2: Promoting Sustainable Travel and Improved Active Travel Options
Transport Policy 3: Impact Assessment and Design Standards of New Development
Natural Environment Policy 1: National Park Landscapes, seascape and visual impact
Natural Environment Policy 2: European sites - Special Areas of Conservation and Special Protection Areas
Natural Environment Policy 3: Sites of Special Scientific Interest, National Nature Reserves and RAMSAR Sites
Natural Environment Policy 4: Legally Protected Species
Natural Environment Policy 5: Species and Habitats
Natural Environment Policy 6: Enhancing Biodiversity
Natural Environment Policy 7: Protecting Geological Conservation Review Sites
Natural Environment Policy 8: Development Impacts on Trees and Woodlands
Natural Environment Policy 9: Woodlands on or adjacent to development sites
Natural Environment Policy 10: Protecting Peatlands
Natural Environment Policy 11: Protecting the Water Environment
Natural Environment Policy 12: Surface Water and Wastewater Management
Natural Environment Policy 13: Flood Risk
Historic Environment Policy 1: Listed Buildings
Historic Environment Policy 3: Wider Built Environment and Cultural Heritage
Historic Environment Policy 6: Scheduled Monuments and other Nationally Important Archaeological Sites
Historic Environment Policy 7: Other Archaeological Resources
Historic Environment Policy 8: Sites with Unknown Archaeological Potential
Waste Management Policy 1: Waste Management Requirement for New Developments

- 8.5. The full policy can be viewed online at: [Our Local Development Plan - #LetsDoNetZero -Loch Lomond & The Trossachs National Park \(lochlomond-trossachs.org\)](https://www.letsdonetzero.com/lochlomond-trossachs-national-park)

Supplementary Guidance

- 8.6. The adopted Supplementary Guidance provides support to the policies of the LDP and carries the same weight in the determination of applications. The Supplementary Guidance of relevance to this application comprises:

- Design and Placemaking

Material Considerations

National Park Aims

- 8.7. The four statutory aims of the National Park are a material planning consideration. These are set out in Section 1 of the National Parks (Scotland) Act 2000 and are:
- to conserve and enhance the natural and cultural heritage of the area;
 - to promote sustainable use of the natural resources of the area;
 - to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
 - to promote sustainable economic and social development of the area's communities.
- 8.8. Section 9 of the Act states that these aims should be achieved collectively. However, if in relation to any matter it appears to the National Park Authority that there is a conflict between the first aim, and the other National Park aims, greater weight must be given to the conservation and enhancement of the natural and cultural heritage of the area.

National Park Partnership Plan (2018-2023)

- 8.9. The National Park Partnership Plan (NPPP) is the overarching vision to guide how all those with a role in looking after the National Park will work together to widen the environmental, social and economic benefits of the Park. All planning decisions require to be guided by the outcomes and priorities of the NPPP to ensure that they are consistent with the Park's statutory aims.
- 8.10. A draft revised NPPP was approved for public consultation by the National Park Board in March 2023 although this carries very limited weight in decision making at present.

9. Planning Assessment

- 9.1. The key planning matters to be considered in relation to this proposed development are:
- i. Principle of Development
 - ii. Biodiversity
 - iii. Landscape & Visual Impact
 - iv. Traffic and Transport
 - v. Recreation and Access
 - vi. Other Matters

Principle of Development

- 9.2. The planning application is for temporary construction access tracks and associated works to enable the refurbishment of transmission infrastructure and provide security of the supply of energy between Sloy switching station and Windyhill substation. The refurbishment would also enhance electricity infrastructure that will transmit energy from renewable sources.

- 9.3. The LDP provides no specific policy or guidance in relation to the principle of the development of tracks (in connection with electricity infrastructure or otherwise). NPF4 Policy 11 (Energy) focusses on renewable energy development but provides broad support at a(ii) including for *“enabling works, such as grid transmission and distribution infrastructure”*. Annex B of NPF4 *‘National Developments Statements of Need’* at Section 3. *‘Strategic Renewable Electricity Generation and Transmission Infrastructure’* also recognises the need for *“substantial reinforcement including the addition of new infrastructure to connect and transmit the output from new on and offshore capacity to consumers in Scotland, the rest of the UK and beyond.”* Although the transmission refurbishments for which the temporary tracks are required are not among the identified National Developments within NPF4, they would nevertheless support their delivery as part of the wider electricity network. Works that support upgrades to existing infrastructure that allows transmission of electricity derived from renewable sources is also supported more generally under NPF4 Policy 1 in that it would contribute positively to addressing the global climate and nature crises.
- 9.4. The proposed development of the temporary tracks required to ensure a safe and operational electricity transmission network is therefore considered acceptable in principle and it remains for the proposal to be assessed against the policies of the LDP and NPF4 as relevant.

Biodiversity

Designated Sites

- 9.5. The application site intersects with a designated European Site, the Loch Lomond Woods Special Area of Conservation (SAC). This designation overlaps in part with the Glen Loin Site of Special Scientific Interest (SSSI) (Figure 17). The SAC is classified for its western acidic oak woodland and otter (*Lutra lutra*). The SSSI is also designated for upland mixed ash woodland and upland oak woodland, which are in favourable declining, and unfavourable condition, respectively.
- 9.6. A small section of temporary ATV access track (c. 27m - no cut & fill) is proposed within the boundary of the Loch Lomond Woods SAC to access one of the existing OHL towers that is situated within the SAC boundary. Two further towers are situated on the SAC boundary but these can be accessed from outside the SAC. Further lengths of temporary ATV access track (no cut & fill), temporary stone access track and upgraded existing track are proposed adjacent to the SAC boundary and within the SSSI boundary.

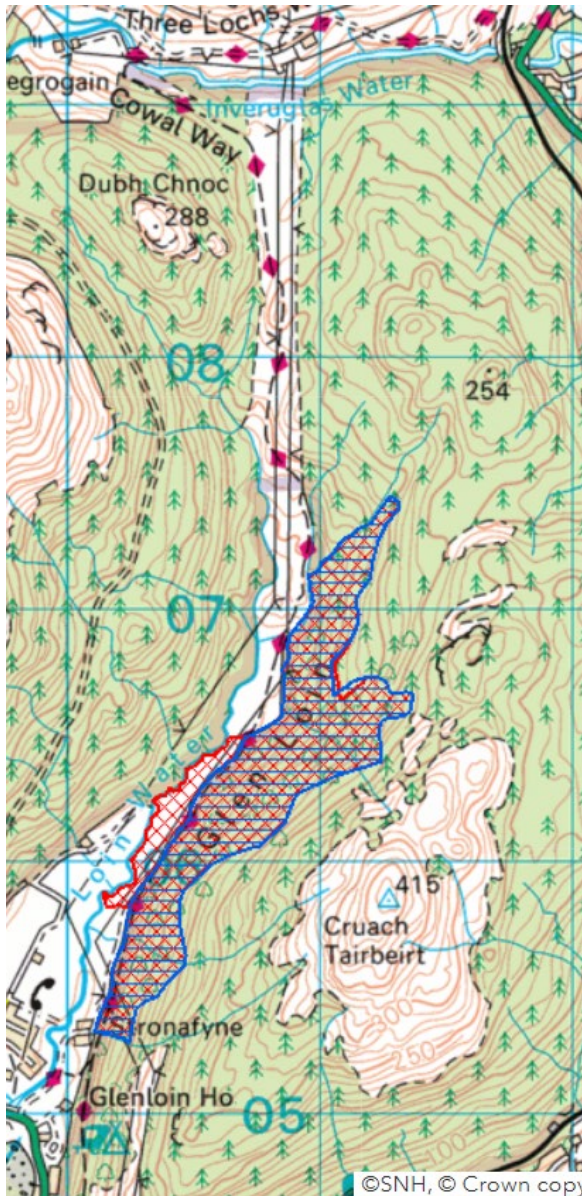


Figure 16: Map extract showing location of Glen Loin SSSI (red hatched area) and Loch Lomond Woods Special Area of Conservation (blue hatched area)

- 9.7. Natural Environment Policy 2 of the Local Development Plan and NPF4 Policy 4(b) seek to protect European Designated Sites and require Appropriate Assessment where a proposal is likely to result in significant effects on an SAC. Natural Environment Policy 3 and NPF4 Policy 4(c) seek to ensure there are no adverse effects that would compromise the objectives and overall integrity of SSSIs.
- 9.8. NatureScot advises that due to the temporary nature of the tracks, it is unlikely that the proposal would have a significant effect on any of the SAC qualifying interests either directly or indirectly. This is also because the western acidic oak woodland qualifying habitat is not present in the works-affected area which is predominantly species-poor marshy grassland with some dense bracken and alder scrub. The proposed tracks would lead to a temporary change to the adjacent woodland habitat and impacts would be limited and recoverable once the work is complete. Based on the surveys carried out by the applicant, no evidence of otters, such as holts or spraints, were found within 200m of the proposed works. An appropriate assessment is therefore not required. The National Park Ecologist agrees with this position.

- 9.9. NatureScot recommends that further checks in respect of otter presence should be carried out before works commence. If found on site, more thorough surveys may be required to prevent disturbance, and appropriate mitigation measures agreed at that time. Subject to the further pre-construction checks (secured by way of a Construction Environmental Management Plan (CEMP)) the proposal would not have a likely significant effect on the SAC nor compromise the objectives or overall integrity of SSSI. The proposal would not therefore conflict with Natural Environment Policies 2 and 3 or NPF4 Policy 4(a) and (b).

Protected Species

- 9.10. Protected species surveys for otter and badger were undertaken in November 2021 as well as a habitat suitability surveys for water vole, pine marten, red squirrel, bats, fish, freshwater pearl mussel (FWPM), birds, reptiles and amphibians. The applicant has also produced a Species Protection Plan for each species outlining mitigation and best practice.
- 9.11. The National Park's Ecologist has reviewed the applicant's ecological submissions in detail and is satisfied that there would be no adverse impacts on any protected species subject to the mitigation identified in the application for each species being carried out. This includes further pre-works surveys for protected species. If European Protected Species, such as bats or otters, are found on or near the works areas, a licence may be required. Table 8-1 of the applicant's Environmental Appraisal report summarises the ecological mitigation measures that have been identified for each construction phase. This is attached in Appendix 4 of this report. The National Park Ecologist has recommended a condition implementing the mitigation requirements set out in Appendix 4 via the CEMP. This condition will ensure protected species are safeguarded in accordance with Natural Environment Policy 4 and NPF4 Policy 4(f).

Peat and Ground Water Dependent Terrestrial Ecosystems (GWDTES)

- 9.12. The majority of the proposed development site is underlain by Class 5 carbon and peatland identified on the NatureScot 2016 Carbon and Peatland Map (carbon-rich and deep peat but no peatland habitat). An area of nationally important Class 2 carbon rich soil, deep peat and priority peatland habitat is situated adjacent to the application boundary on the western slopes of Monadh Tighe na Laraich within 0.15km of the proposed works. The application site also includes a number of areas of Class 3 carbon and peatland (not priority peatland habitat). One habitat with high potential to support GWDTE and three habitats with moderate GWDTE potential were identified during the habitat surveys. However, the applicant's Environmental Appraisal concludes that most of these communities are likely to be associated with surface water moving downslope rather than groundwater.
- 9.13. Natural Environment Policy 10: Protecting Peatlands requires development to avoid the unnecessary disturbance of peat and carbon-rich soils and the adoption of best practice in the movement, storage, management and reinstatement of peat and carbon-rich soils where disturbance cannot be avoided. Development on undisturbed areas of peat or carbon-rich soils will not normally be permitted, unless the economic and social benefits of the development clearly outweigh any potential detrimental effect on the environment; and it has been clearly demonstrated that there is no viable alternative. Where development is permitted, a depth survey must be undertaken which demonstrates that the areas of deepest peat have been avoided. Where required, a peat management plan and where appropriate mitigation measures must also be submitted which demonstrates that the unnecessary disturbance, degradation or erosion of peat is avoided.

- 9.14. Impacts on peat and peatland habitats are unavoidable due to the need to access the OHL. These impacts are to be minimised through the implementation of a Peat Management Plan (included in the draft CEMP) along with the measures within the SSEN General Environmental Management Plans (GEMPs). This includes pre-construction peat probing surveys to identify areas of deeper peat, micro-siting of the tracks, where possible, to avoid deep peat and priority peatland habitats and use of floating tracks to minimise impacts and appropriate reinstatement techniques. Similar mitigation is to be employed for GWDTES. The National Park's Ecologist supports the implementation of these measures and recommends that they are secured via a planning condition linked to the CEMP. It is also recommended that a Landscape Restoration Plan is implemented to ensure the appropriate restoration following the completion of the works. Subject to these conditions the proposal would accord with Natural Environment Policy 10 and NPF4 Policy 5(c) concerning the protection of peatlands, carbon-rich soils and priority peatland habitat.

Woodland and Trees

- 9.15. A Forestry Impact Assessment for Access (WSP, revised January 2023) has been submitted in support of the proposal. This report identifies that a total six individual trees and three small groups of trees will require to be felled along with impacts on a further 32 groups of trees. No impacts on retained trees are predicted and the report concludes that physical protection measures are not required due to the nature of the terrain. Although the requirement for replacement tree planting is confirmed in the report, no detailed proposals are presented in the report. A condition is therefore proposed to secure replacement planting (to reflect the native broadleaf components of the current tree groups, particularly, rowan, birch and oak with hawthorn and hazel shrub layer). A further condition is proposed to protect all proposed retained trees within the application site boundary during construction.

Invasive Non-native species (INNS)

- 9.16. Rhododendron was recorded throughout the habitat survey area. Japanese knotweed, Himalayan balsam and skunk cabbage were also recorded along the Loin Water and the surrounding habitat in and around Arrochar. In the absence of mitigation, works within these areas has the potential to spread INNS to new areas within and out with the application site including the SAC. Mitigation measures to prevent the spread of invasive non-native plant species are detailed in the Environmental Appraisal, draft CEMP and Biosecurity (On Land) GEMP (TG-NET-ENV-521). The National Park's Ecologist supports the implementation of the mitigation measures for INNS and recommends that they are secured via a planning condition linked to the CEMP.

Biodiversity Enhancement

- 9.17. Natural Environment Policy 6 of the Local Development Plan requires developments to enhance biodiversity by securing the management and enhancement of natural landscape, wildlife, wildlife habitat, habitat networks and green corridors, and where possible the creation of new wildlife habitats. NPF4 Policy 1 now places significant weight on the climate and nature crisis and significantly strengthens requirements to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks, through Policy 3.
- 9.18. NPF4, Policy 3 expressly requires development proposals to (a) *"contribute to the enhancement of biodiversity, including where relevant restoring degraded habitats and building and strengthening nature networks and connections between them. Proposals should also integrate nature-based solutions, where possible."* Proposals for major

development also require to demonstrate (b) *“that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management”* and (b)(iv) *“significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate”*.

9.19. A Biodiversity Net Gain (BNG) Assessment (SSEN, September 2022) has been submitted in support of the proposal. This assessment considers both the impacts of the proposed development (temporary access tracks) alongside the wider OHL refurbishment works that are to be carried out under SSEN's permitted development rights. The process uses habitat as a proxy for wider biodiversity value and different habitat types are scored according to their relative biodiversity potential. The whole scheme, including those elements that lie outside the National Park boundary, are considered in the applicant's assessment. The report includes calculations of the baseline Biodiversity Units (BU) for the application site and the post development BU as well as recommendations for achieving Biodiversity Net Gain (BNG).

9.20. The BNG Assessment recommends a series of options to achieve biodiversity net gain including:

For irreplaceable habitats and designated sites:

- Exploring options for woodland creation, in the areas listed on the AWI which are not currently wooded; ·
- Exploring options to create habitat for which the SAC and SSSI are designated (i.e. the qualifying features); ·
- Exploring options to improve the condition of habitats within the SAC and SSSI.

For replaceable habitats:

- Increasing the target condition for the reinstated areas of upland heath and purple moor grass through measures such as seeding with other heathland species;
- Improving the condition of wet heath (all of which was assessed as being in poor condition) by tackling the dominance of purple moor grass and Sitka spruce seedlings in some areas;
- Tackling the extensive patches of bracken that are present in forest rides outside the site to restore heathland and acid grassland habitats in these areas; ·
- Control of the INNS that were identified during the habitat surveys to restore the habitats in these areas; ·
- Exploring options to enhance watercourses, this could include opening up channels currently choked with vegetation or planting riparian woodland; ·
- Increasing the length of lines of trees on the site post construction to achieve no net loss.

9.21. These options have been reviewed by the National Park's Ecologist who, whilst supportive, recommends further discussions with the applicant to agree a specific package of measures that would achieve an appropriate overall net gain for both replaceable habitats and non-replaceable habitats (i.e. ancient woodland and designated sites). A condition is therefore recommended for the details of the measures to be submitted within a Scheme of Biodiversity Enhancement for the National Park Authority's approval. This would be required to be approved prior to the removal and reinstatement of the tracks so that the measures can be implemented as required during the reinstatement phase. This condition will ensure that the development, albeit

temporary in nature, contributes appropriately to biodiversity enhancement and maximises this opportunity to address some of the specific objectives of the National Park Authority Future Nature Road Map (particularly improving the condition and extent of the three key habitat networks within the National Park - woodland, peatland and water).

- 9.22. Subject to approval and implementation of the Scheme of Biodiversity Enhancement, it is concluded that the proposed approach to biodiversity enhancement is appropriate and will ensure that proportionate benefit is delivered in line with the requirements of Natural Environment Policy 6 (Enhancing Biodiversity) and NPF4 Policy 3.

Landscape and Visual Impact

- 9.23. Natural Environment Policy 1 states development proposals will be required to be sympathetic to their setting and minimise visual impact.
- 9.24. The application is supported by a Landscape and Visual Impact Assessment (LVIA) containing a series of photomontages from key public vantage points. It is recognised that there will be temporary increased visual impacts on the areas that will be affected by the temporary new access tracks, associated earthworks, and ancillary traffic, construction works. This will be particularly notable on the western slopes of the Tullich Hill (Figures 18 to 20).



Figure 17: View as existing from Arrochar/west side of Loch Long looking south (Extract from LVIA)



Figure 18: Photomontage view of the proposed tracks (highlighted in yellow) from Arrochar/west side of Loch Long looking south (Extract from LVIA)



Figure 19 Photomontage view of the proposed tracks from Arrochar/west side of Loch Long looking south (Extract from LVIA)

- 9.25. Parts of the proposed temporary track routes within Glen Loin would be seen in close views from the Three Lochs Way and from more distant hillwalking routes within the Arrochar Alps to the west. However, the glen has limited range of visual receptors and views are localised.
- 9.26. Visual impacts would be temporary and, as construction is to commence and completed in phases, the impacts will not occur all at the same time. It is therefore concluded that the impact in most views will be low and short lived. The National Park's Landscape Advisor advises there will be no significant visual impacts on the landscape as the works are within the corridor of the established pylon lines and, as the tracks will be removed or reinstated to their existing width, there will be no permanent change to the current landscape character.
- 9.27. A condition is recommended to secure restoration of the landscape via a landscape management plan incorporating appropriate restoration proposals, including the returfing/ reseeding and grassing over the temporary tracks and removal of all temporary access track infrastructure/materials to restore the landscape to the existing baseline (and where appropriate to enhance).

Recreation and Public Access

Management of Impacts

- 9.28. NPF 4 Policy 11 (Energy) (e) (iii) requires project design and mitigation to address the impact of development on public access, including impact on long distance walking and cycling routes and scenic routes.
- 9.29. The proposed access tracks will utilise and alter sections of the Three Lochs Way Core Path, a very popular route used by visitors and locals. Sections of the Three Lochs Way will be temporary widened to 6m but would be fully reinstated to its current width on completion of the works. In other areas the temporary tracks would cross the Three Lochs Way, where this passes under the OHL wayleave corridor. The associated siting and movement of vehicles, plant and ancillary operations are likely to impact on the quality of the core path recreational experience during the proposed construction period.
- 9.30. To ensure public safety, the application proposes that temporary diversions or alternative access tracks will be implemented to bypass the wayleave corridor. Closures of the Core Path are not anticipated. Section 16 of the CEMP (Outdoor Access Plan) provides the proposed approach to managing and maintaining public access during the

construction phase. The National Park's Access Officer is supportive of the proposed approach and welcomes the commitment to the specification and post-work restoration. However, details of the management arrangements (an access signage management strategy - providing advanced warning signs of forthcoming work featuring clear maps and dates) are requested to be provided in advance for the agreement of the National Park's Access Officer before being implemented, to allow the National Park to give advance warning to visitors and stakeholders. A planning condition is proposed accordingly.

Public Access Enhancement

- 9.31. Part (c) of NPF 4 Policy 11 (Energy) supports proposals which offer community socio-economic benefits. In this regard the applicant, SSEN, has been working with the Helensburgh and District Access Trust (charity) to investigate opportunities for delivering associated improvements to the Three Lochs Way footpath to the benefit of the local environment and recreation economy post-works. A significant section of the 3 Lochs Way to the south of the A83 will be upgraded / widened for use by the project to access the towers. This section is heavily rutted in places (see Fig. 6) and will be left in a much-improved condition on completion of the reinstatement works. It has also been agreed to use stone from the decommissioning of the temporary access tracks to repair and resurface degraded sections of the 3 Lochs Way track north of the A83 up to the Inveruglas Water. This would be carried out by the contractor during the reinstatement phase of the project.
- 9.32. In this way the proposal would contribute positively towards the achievement of Overarching Policy 2 and National Park Aims to promote the understanding and enjoyment (including recreation) of the special qualities of the area by the public, including safeguarding access rights.

Roads

- 9.33. Local Development Plan Transport Policy 3 requires developments to minimise any adverse impact on traffic flows on the local and strategic road network and be accompanied by a transport assessment to assess the implications of development. It also requires developers to implement any measures identified in, or arising from, the assessment which the National Park (in consultation with Transport Scotland and the Roads Authority) deem appropriate.
- 9.34. A Construction Traffic Management Plan (CTMP) was submitted in support of the application dated 30 August 2022 and further updated on 16th February 2023. This report assesses the impact of the proposals on road traffic including during the construction of the tracks. The CTMP proposes measures to avoid and reduce the potential conflict between public and general construction site traffic including advance warning and safety signage plus a road conditions survey to address any damage caused by the vehicle movements.
- 9.35. The CTMP envisages that the majority of loads will travel north through Dumbarton along the A82. These loads will be delivered using standard road legal articulated or rigid vehicles and will be imported to a site compound nearest to the location where they are to be used. The materials may be transferred between the compounds and the working area using a Hiab wagon. The public road network is identified as suitable for this construction traffic, with improvement works to be agreed in phases between SSEN and Argyll and Bute Council Roads Authority.

- 9.36. New bell mouths and upgrades to existing junctions with the public road are proposed as already described. Transport Scotland and Argyll and Bute Council Roads Authority have raised no objection subject to appropriate conditions including further consultation on detailed junction design and full details of a Construction Traffic Management Plan to be agreed by the Planning Authority in consultation with Transport Scotland.

Flooding, Drainage and Soil

- 9.37. NPF 4 Policy 11 (Energy) part e (viii) advises that new energy proposals are required to demonstrate how impacts in respect of effects on hydrology, the water environment and flooding are addressed. Natural Environment Policy 11 in the National Park's Local Development Plan also requires developments to ensure no significant adverse impact on the water environment, including on drinking water supplies.
- 9.38. The applicant has provided supporting information in respect of Hydrology, Hydrogeology, Geology and Soils Appraisal. As part of the design considerations and the layout strategy, the proposal has sought to minimise track watercourse crossings. A total of 13 no. watercourse crossings are required. The design of these crossings would be subject to the Water Environment (Controlled Activities) (Scotland) Regulations 2011(as amended) (CAR). A SEPA licence and construction run-off permit will likely be required under a CAR and it is considered that this procedure will protect against flood risk and pollution incidents. To reduce the risk of erosion and sedimentation, following Sustainable Drainage Systems (SuDS) good practice guidelines, as agreed with SEPA, is essential. It is considered that any potential impacts from the proposed development can be mitigated through good practice and design.
- 9.39. There are 11 Private Water Supplies within 1 km of the site, eight of which require further investigation prior to construction to verify the infrastructure location, supply type, properties supplied and their uses. Potential further unregistered supplies may also need to be established through consultation with local property owners. Protection and mitigation will be developed in consultation with the landowner and agreed with SEPA. The contractor will engage with Scottish water at pre-construction stage.
- 9.40. The applicant confirms that good practice measures will be set out in the CEMP and the General Environmental Management Plan to be implemented by SSEN's Principal Contractor. SEPA were consulted on the application and has advised that they have no objection. Their recommendations in respect of conditions for Ground Water Dependent Terrestrial Ecosystems and peat have already been covered above.

Amenity

- 9.41. Local Development Plan Overarching Policy 2 aims to ensure that development proposals do not conflict with nearby land uses and that amenity and environmental effects, including noise/vibration, air emissions, odours /fumes, dust, light pollution and loss of privacy, sunlight and daylight are considered.
- 9.42. Noise and vibration effects would arise predominantly from works associated with the tower upgrades (with the greatest impacts being tower foundation upgrade and borehole work) which are permitted development and not within the scope of this planning application. There may be some limited noise impacts arising from the implementation of the temporary tracks and their use during construction. However, noise effects would be temporary and would take place during weekday daytime hours only (Monday to Friday 07:00-19:00). Construction noise and vibration effects would be short term and intermittent and the applicant anticipates that the number of vehicles accessing the site

will be low. No significant impacts of vibration are anticipated due to the distance of any receptors being more than 100m from the works.

- 9.43. The construction of the temporary tracks and the movement of vehicles along them has potential to give rise to fumes and dust. The Register of Environmental Effects identifies construction dust as an area of risk and in mitigation proposes a road sweeper and a bowser for dampening down work areas and accesses. Plant washing facilities will be located as required at work locations. The General Environmental Management Plan (GEMP) sets out the strategy for good practice over the different site terrains. The Construction Traffic Management Plan includes methods such as wheel washing of vehicles to reduce mud and debris migrating onto the public roads. A project community liaison officer is proposed by SSEN to respond to any concerns from local residents. It is concluded that the applicant will have appropriate strategies in place to ensure residential amenity is protected.
- 9.44. The Register of Environmental Effects states that lights from the site work and the compound will be turned off at night to ensure no ecological or other disturbance from light pollution.
- 9.45. No adverse impacts on residential amenity are anticipated due to the distance of the proposed tracks and accesses from residential properties.

Archaeology

- 9.46. The applicant's assessment concludes that the construction of the tracks would have no direct impact on any of the known heritage assets and would be unlikely to have direct impacts on any unknown sub-surface archaeological remains due to the low potential for encountering such remains within the application boundary.
- 9.47. West of Scotland Archaeology has requested further plans prior construction work taking place to show the extent of the proposed exclusion areas around the known heritage assets within the application boundary and in addition, the Monadh Tighe Na Laraich farmstead which is within 10m of the proposed works area in the southern part of the application site. Accordingly, they have requested a condition to secure these plans and any further survey work deemed necessary to define the physical extents of features to allow appropriate exclusion areas to be defined. In the event that it is not possible to fully avoid these features, the condition would then allow for a suitable programme of mitigation fieldwork to be developed.

10. Conclusions

- 10.1. The proposal is for access tracks and track upgrades to facilitate the refurbishment of the existing OHL between Sloy and Windyhill Switching Stations. NPF4 lends support to the principle of development within Annex B which notes the need for reinforcement of the strategic electricity generation and transmission infrastructure that supports renewable energy. Works that support delivery of upgrades to existing infrastructure that allows transmission of electricity derived from renewable sources (in this case hydroelectricity) is also supported more generally under NPF4 Policy 1 because this would contribute positively to addressing the wider global climate and nature crises.
- 10.2. The proposed temporary tracks would be fully decommissioned and with the land reinstated and restored by June 2025. Where the tracks utilise sections of the existing core path network, these sections would be fully reinstated but with associated enhancements delivered in consultation with the National Park Authority (as Access

Authority) and Helensburgh and District Access Trust to the benefit of future users. In this way the proposal would contribute positively towards the achievement of Overarching Policy 2 of the LDP and National Park aims to promote the understanding and enjoyment (including recreation) of the special qualities of the area by the public.

- 10.3. The application has appropriately considered all potential impacts on the site's biodiversity, including on Loch Lomond Woods Special Area of Conservation, the Glen Loin Site of Special Scientific Interest, protected species and habitats, trees and woodlands, groundwater ecosystems and peat. Impacts would be temporary, and subject to compliance with the mitigation detailed in the Construction Environmental Management Plan (CEMP) (including compliance with Species Protection Plans, General Environmental Management Plans, updated Peat Management Plan, Pollution Prevention Plan and the Schedule of Mitigation of the Environmental Appraisal (Appendix 4)) and Landscape Restoration Plan. With project oversight by an independent Environmental Clerk of Works, the development would avoid significant and/or adverse effects on the natural environment and its biodiversity in accordance with the Natural Environment Policies of the Local Development Plan and Policy 3 of NPF4.
- 10.4. The detailed Scheme for Biodiversity Enhancement (secured by condition) which will necessitate further involved discussions between the applicant and the National Park regarding biodiversity net gain, will ensure that the National Park is able to secure a package of specific measures to deliver proportionate and appropriate biodiversity enhancement in association with this temporary development proposal. This would ensure the proposal contributes positively towards the wider objectives of the National Park Authority Future Nature Road Map, particularly to improve the condition and extent of the three key habitat networks (woodland, peatland and water) and also the first National Park aim to conserve and enhance the natural and cultural heritage. The application therefore satisfies Policy 6 of the Local Development Plan and the now greater emphasis on biodiversity enhancement set out within NPF4 (Policy 3).
- 10.5. The visual impact on the landscape would be temporary and all other impacts (on amenity, roads and the water environment) are deemed acceptable. There are no objections from statutory consultees or members of the public. Subject to the recommended conditions, the proposal for temporary tracks to support the upgrades to the overhead transmission lines between Sloy and Windyhill is deemed acceptable and in accordance with the Development Plan.

Appendix 1 - Planning Conditions

Condition 1 - Temporary Planning Permission: Unless otherwise agreed in writing by the Planning Authority, all development hereby approved shall be removed by 30 April 2026. The land shall thereafter be restored fully in accordance with the "Landscape Restoration Plan" (as submitted and approved as part of condition 3.)

REASON: To ensure the timely removal of the development hereby approved once the purpose of the proposed track has been fulfilled. The application has been assessed as acceptable due to the works being temporary. A permanent track/development would be contrary to the policies of the Local Development Plan.

Condition 2 - Construction Environmental Management Plan (CEMP): Prior to commencement of construction of the development, a detailed Construction Environmental Management Plan (CEMP), which sets out how the construction of the development will be managed, shall be submitted to, and approved in writing by, the Planning Authority. This CEMP shall be based on the draft CEMP submitted in support of the planning application. In particular, the CEMP shall include the following:

- a) All mitigation and monitoring measures detailed in Table 8-1: Schedule of Mitigation of the Environmental Appraisal report (SSEN, September 2022), particularly the Ecology and Nature Conservation mitigation measures (E1 to E6).
- b) All relevant SSEN Species Protection Plans (SPPs) that are to be implemented to minimise the impacts of the development on protected species and ensure that no offences are committed under protected species legislation.
- c) All relevant SSEN General Environmental Management Plans (GEMPs) that are to be implemented to minimise the impacts of the development on the environment and ensure compliance with environmental legislation.
- d) An updated Peat Management Plan taking into account the results of the pre-construction peat depth surveys to, as far as possible, avoid impacts on peat through micro-siting. Where this is not possible, sensitive construction techniques such as the use of floating tracks, shall be identified to minimise impacts on peat and priority habitats, taking into account any hydrological changes associated with the works.
- e) A site-specific Pollution Prevention Plan in accordance with SEPA Supporting Guidance (WAT-SG-75): Water Run-Of from Construction Sites.
- f) Details of an appropriately qualified independent Environmental Clerk of Works (ECoW) who has been appointed by the developer to oversee the implementation of the planning conditions, CEMP, SPPs, GEMPs and other environmental mitigation during the construction, and restoration phases of the development.

Unless otherwise agreed in writing by the Local Planning Authority, all works shall be carried out in accordance with the approved CEMP.

REASON: To ensure that the construction works are appropriately managed to minimise ecological impacts.

Condition 3 - Landscape Restoration Plan: Following the completion of the works to the overhead lines, the temporary tracks hereby approved shall be decommissioned and the landscape reinstated. Prior to the commencement of the reinstatement of the temporary tracks, a Landscape Restoration Plan shall be submitted to, and approved in writing by, the Local Planning Authority. For the avoidance of doubt, this plan shall include appropriate restoration proposals for all affected habitats (including peatland,

heath, grassland, woodland) and set habitat restoration targets. This should include the reseed and grass over the temporary tracks and remove all temporary access track infrastructure/ material to restore the landscape to the existing baseline, and where appropriate enhance habitats. The Landscape Restoration Plan shall also include details of the restoration works to deliver enhancement of the Three Lochs Way. A programme of monitoring shall also be implemented to assess the success of these measures and identify the need for any remedial actions. This scheme shall then be implemented in full in a timescale to be agreed in writing with the Planning Authority.

REASON: To minimise the ecological impacts of the scheme and ensure that the affected habitats are restored as quickly as possible on completion of the works

Condition 4 – Scheme of Biodiversity Enhancement: Prior to the reinstatement of the temporary tracks hereby permitted, a scheme for the appropriate enhancement of biodiversity shall be submitted to, and approved in writing by, the Planning Authority. This scheme shall be based on the recommendations outlined in Section 4 of the Biodiversity Net Gain Assessment report (SSEN, September 2022) for opportunities within the application site but also set out proposals to contribute towards the objectives of the National Park Authority Future Nature Route Map, particularly improving the condition and extent of the three key habitat networks within the National Park - woodland, peatland and water. The scheme shall include, but not limited to, the following details:

- a) Description and evaluation of the features to be managed;
- b) Aims, objectives and targets for management - links with local and national strategies;
- c) Description of the management operations necessary to achieving aims and objectives;
- d) Preparation of a works schedule, including an annual works schedule;
- e) Details of the monitoring needed to measure the effectiveness of management;
- f) Details of the timetable for each element of the monitoring programme; and
- g) Details of the persons responsible for the implementation and monitoring;
- h) Mechanisms of adaptive management to account for any necessary changes in work schedule to achieve the required targets;
- i) Arrangements for the funding of the works or payments of financial contributions as may be appropriate to deliver the agreed works;
- j) A timetable for the submission of monitoring reports to the planning authority.

The scheme shall then be implemented in full in a timescale to be agreed in writing with the Planning Authority.

REASON: To secure biodiversity enhancement as required under adopted Local Development Plan Natural Environment Policy 6: Enhancing Biodiversity and NPF4 Policy 3: Biodiversity.

Condition 5 - Limit of Deviation and Micro-siting: Tracks and areas of hardstanding may be adjusted by micro-siting within Limits of Deviation described in Section 2.2.6 and 2.2.7 of the applicant's supporting Environmental Appraisal subject to the following further restrictions:

- a) Micro-siting shall be carried out in accordance with specific procedures and details approved as part of the Construction Environmental Management Plan as required in accordance with condition 2 of this consent
- b) All micro siting permissible under this condition must be approved in advance in writing by the Environmental Clerk of Works (ECoW) appointed under the terms required by condition 2.

REASON: To ensure that the development is built in accordance with the description in the applicant's EA, to allow tolerance for re-routing tracks within the limits of deviation so as to take account of local ground conditions and to reduce impact on biodiversity.

Condition 6 - Archaeological Watching Brief: Not less than 14 days before the commencement of the development hereby permitted, the name of an archaeological organisation to be retained by the developer, for the purpose of the implementation of an archaeological watching brief, shall be submitted to and approved in writing by the Planning Authority. Thereafter, at all reasonable times during the development of the site the approved retained archaeological organisation shall be afforded access and allowed to record, recover and report items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority prior to commencement of the watching brief.

REASON: To ensure that any items of archaeological interest that might be damaged or disturbed by the development are recorded and recovered as necessary for the benefit of the nation.

Condition 7 - Trees and Woodland: With the exception of tree works specified as part of this application and immediately necessary for implementation of the development, no trees within the application site shall be lopped, topped, pollarded or felled, or otherwise affected, without the prior written consent of the Planning Authority. No trees shall be uprooted. Any pruning to facilitate access will be carried out in accordance with industry best practice, including BS3998 (2010).

REASON: In the interests of amenity and to ensure the protection and maintenance of the existing trees within the site.

Condition 8 - Tree planting: Prior to completion of the development hereby approved, full details of all proposed tree planting shall be submitted to, and approved in writing, by the Planning Authority. Replanting will be at a density of three for every tree over 150mm diameter removed. Submitted details will include planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with the approved details at the approved times. Any such planted trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the development or five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

REASON: To safeguard and enhance the amenity and biodiversity of the area.

Condition 9 - Core Path Access Signage Management Strategy: Prior to the closure of any part of the Three Lochs Way, the applicant should produce an Access Signage Management Strategy to the satisfaction of the National Park's Access Officer that provides advanced warning of forthcoming work (featuring clear maps and dates)

REASON – In the interests of Health and Safety

Condition 10 - Core Path Signage: For the duration of the construction phase, the visitor management & information signage detailed in the Specialist Response shall be installed, monitored and maintained at the locations identified.

REASON: To support Health and Safety and provide alternative recreational / route options during the construction phase.

Condition 11 - Core Path: Where overriding Health and Safety concerns require short-term closure of the Three Lochs Way core path, these must be discussed and agreed with the National Park's Access and Recreation Advisor before being implemented.

REASON: To support Health and Safety and allow the National Park to disseminate accurate information to visitors and stakeholders.

Condition 12 - Access Design: Prior to the commencement of development, vehicular access AP-07, shall be provided generally in accordance with SSEN Drawing '0064-OHL 132kV SWE1-GA-0808-1008-01@ Revision 3, to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

REASON - To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished and to minimise interference with the safety and free flow of the traffic on the trunk road.

Condition 13 - Construction Traffic Management Plan: Prior to commencement, a Construction Traffic Management Plan (CTMP), generally in accordance with Omexom / Morgan Sindall Infrastructure document LT192-CTMP-01, shall be implemented, after consultation with the Planning Authority and Transport Scotland. Thereafter, all construction traffic associated with the development shall conform to the requirements of the agreed Plan.

REASON: To mitigate the adverse impact of construction traffic on the safe and efficient operation of the trunk road network and to minimise interference with the safety and free flow of the traffic on the trunk road.

Condition 14 - Abnormal Loads: The proposed route for any abnormal loads on the trunk road network must be approved by Transport Scotland prior to the movement of any abnormal load. Any accommodation measures required including the removal of street furniture, junction widening, traffic management must similarly be approved.

REASON - To ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road network.

Condition 15 -Traffic Management: Any additional signing or temporary traffic control measures deemed necessary due to the size or length of loads being delivered must be undertaken by a recognised Quality Assured traffic management consultant, to be approved by Transport Scotland before delivery commences.

REASON - To ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road network.

Appendix 2 – List of Plans

Title	Reference	Date Received
Access Junction AP-08 - Access Junction	0064-OHL 132kV SWE1-GA-0808-1-009-01	20/09/22
Access Junction AP-08 - Swept Path Analysis	0064-OHL 132kV SWE1-GA-0808-1-009-02	20/09/22
Access Junction AP-08 - Visibility Splay	0064-OHL 132kV SWE1-GA-0808-1-009-03	20/09/22
Access Junction AP-08 - Long Section	0064-OHL 132kV SWE1-GA-0808-1-009-04	20/09/22
Access Junction AP-10 - Access Junction	0064-OHL 132kV SWE1-GA-0808-1-010-01	20/09/22
Access Junction AP-10 - Swept Path Analysis	0064-OHL 132kV SWE1-GA-0808-1-010-02	20/09/22
Access Junction AP-10 - Visibility Splay	0064-OHL 132kV SWE1-GA-0808-1-010-03	20/09/22
Access Junction AP-10 - Long Section	0064-OHL 132kV SWE1-GA-0808-1-010-04	20/09/22
Access Junction AP-05 - Visibility Splay.	0064-OHL 132kV SWE1-GA-0808-1-006-02	20/09/22
Access Junction AP-06 - Swept Path Analysis	0064-OHL 132kV SWE1-GA-0808-1-007-01	20/09/22
Access Junction AP-06 - Visibility Splay	0064-OHL 132kV SWE1-GA-0808-1-007-02	20/09/22
Access Junction AP-07 - Access Junction	0064-OHL 132kV SWE1-GA-0808-1-008-01	20/09/22
Access Junction AP-07 - Swept Path Analysis	0064-OHL 132kV SWE1-GA-0808-1-008-02	20/09/22
Access Junction AP-07 - Visibility Splay	0064-OHL 132kV SWE1-GA-0808-1-008-03	20/09/22
Access Junction AP-08 - Visibility Splay	0064-OHL 132kV SWE1-GA-0808-1-009-03	20/09/22
Access Junction AP-07 - Long Section	0064-OHL 132kV SWE1-GA-0808-1-008-04	20/09/22
Access Junction AP-08 - Access Junction	0064-OHL 132kV SWE1-GA-0808-1-009-01	20/09/22
Access Junction AP-08 - Swept Path Analysis	0064-OHL 132kV SWE1-GA-0808-1-009-02	20/09/22
Access Junction AP-08 - Long Section	0064-OHL 132kV SWE1-GA-0808-1-009-04	20/09/22
Access Junction AP-10 - Access Junction	0064-OHL 132kV SWE1-GA-0808-1-010-01	20/09/22
Access Junction AP-10 - Swept Path Analysis	0064-OHL 132kV SWE1-GA-0808-1-010-02	20/09/22
Access Junction AP-10 - Visibility Splay	0064-OHL 132kV SWE1-GA-0808-1-010-03	20/09/22
Access Junction AP-10 - Long Section	0064-OHL 132kV SWE1-GA-0808-1-010-04	20/09/22
Access Junction AP-11 - Swept Path Analysis	0064-OHL 132kV SWE1-GA-0808-1-011-01	20/09/22

Access Junction AP-11 - Visibility Splay	0064-OHL 132kV SWE1-GA-0808-1-011-02	20/09/22
Access Junction AP-12 - Swept Path Analysis	0064-OHL 132kV SWE1-GA-0808-1-012-01	20/09/22
Access Junction AP-12 - Visibility Splay	0064-OHL 132kV SWE1-GA-0808-1-012-02	20/09/22
Access Junction AP-13 - Swept Path Analysis	0064-OHL 132kV SWE1-GA-0808-1-013-01	20/09/22
Access Junction AP-13 - Visibility Splay.	0064-OHL 132kV SWE1-GA-0808-1-013-02	20/09/22
Survey Layout - Additional Topographical	0064-OHL 132kV SWE1-LAY-0803-1-001-01	20/09/22
Survey Layout - Additional Topographical	0064-OHL 132kV SWE1-LAY-0803-1-001-02	20/09/22
Survey Layout - Additional Topographical.	0064-OHL 132kV SWE1-LAY-0803-1-001-03	20/09/22
Access and Constraints Overview - Sheet	0064-OHL 132kV SWE1-LAY-0804-1001-01	20/09/22
Access and Constraints Overview - Sheet	0064-OHL 132kV SWE1-LAY-0804-1001-02	20/09/22
Access and Constraints Overview - Sheet	0064-OHL 132kV SWE1-LAY-0804-1001-02	20/09/22
Access and Constraints Overview - Sheet	0064-OHL 132kV SWE1-LAY-0804-1001-03	20/09/22
Access and Constraints Overview - Sheet	0064-OHL 132kV SWE1-LAY-0804-1001-04	20/09/22
Access and Constraints Overview - Sheet	0064-OHL 132kV SWE1-LAY-0804-1001-05	20/09/22
Standard Details - Typical Access Track	21783-OMSI-0608-XX-DR-C-000901	20/09/22
Temporary Bridging (groundforce)	300453-DEL-DB07-DR-00001 C01	20/09/22
Location Plan	LT000239 WAY 002 Overview	20/09/22
Proposed Access Road Standard Details	MS21002-BHK-06-XX-DR-E-040100	20/09/22
Typical Drainage Details	0064-OHL 132kV SWE1-DET-0804-1-003-01	20/09/22
Access Junction AP-04 - Swept Path Analysis	0064-OHL 132kV SWE1-GA-0808-1-005-01	20/09/22
Access Junction AP-04 - Visibility Splay	0064-OHL 132kV SWE1-GA-0808-1-005-02	20/09/22
Access Junction AP-05 - Swept Path Analysis	0064-OHL 132kV SWE1-GA-0808-1-006-01	20/09/22
Access Junction AP-05 - Visibility Splay	0064-OHL 132kV SWE1-GA-0808-1-006-02	20/09/22
Access Junction AP-06 - Swept Path Analysis	0064-OHL 132kV SWE1-GA-0808-1-007-01	20/09/22
Access Junction AP-06 - Visibility Splay	0064-OHL 132kV SWE1-GA-0808-1-007-02	20/09/22
Access Junction AP-07 - Access Junction	0064-OHL 132kV SWE1-GA-0808-1-008-03	17/02/22
Access Junction AP-07 - Swept Path Analysis	0064-OHL 132kV SWE1-GA-0808-1-008-02 rev 3	17/02/22

Access Junction AP-07 - Visibility Splay	0064-OHL 132kV SWE1-GA-0808-1-008-03	20/09/22
Access Junction AP-07 - Long Section	0064-OHL 132kV SWE1-GA-0808-1-008-04	20/09/22

Appendix 3 – Informatives

1 Notification of Initiation of Development - Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. We recommend this is submitted 2 weeks prior to the start of work. A failure to submit the notice, included in the decision pack, would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.

2 Notification of Completion of Development - As soon as practicable after the development is complete, the person who completes the development is required by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give written notice to the planning authority of the completion of the building works. As before, there is notice for you to complete for this purpose included in the decision pack. In larger, phased developments, a notice of completion is to be submitted as soon as practicable after each phase is finished by the person carrying out the development.

3 Roads Consent - The applicant is advised that in terms of Sections 21 and 56 of the Roads (Scotland) Act 1984 he/she/they must obtain from the appropriate Council as Roads Authority consent to construct a new or to alter, open or extend an existing road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.

4 Trunk Roads- Where any works are required on the trunk road, contact details are provided on Transport Scotland's response to the planning authority which is available on the Council's planning portal. Trunk Road modification works shall, in all respects, comply with the Design Manual for Roads and Bridges and the Specification for Highway Works published by HMSO. The developer shall issue a certificate to that effect, signed by the design organisation. Trunk Road modifications shall, in all respects, be designed and constructed to arrangements that comply with the Disability Discrimination Act: Good Practice Guide for Roads published by Transport Scotland. The developer shall provide written confirmation of this, signed by the design organisation. Any trunk road works will necessitate a Minute of Agreement with the Trunk Roads Authority prior to commencement.

Appendix 4 – Summary of Mitigation

8 Summary of Mitigation Measures

8.1 Introduction

8.1.1 This chapter presents a compilation of the mitigation measures outlined in the preceding chapters of this Report. **Table 8-1** displays, by topic, the particular environmental issues and the mitigation or monitoring measures to be implemented. Each measure is assigned a code for ease of reference.

8.1.2 Embedded mitigation comprising 'Design Mitigation' and general 'Construction Good Practice' has been incorporated into the description of the Proposed Development; and as such has been assessed as being part of the development proposals. SSEN Transmission's GEMPs and SpPPs have been included within the schedule of environmental mitigation for completeness.

8.1.3 The following mitigation codes are used in **Table 8-1**:

- GE – General mitigation measures;
- E – Ecology and Nature Conservation;
- CH – Cultural Heritage;
- HYD – Hydrology, Hydrogeology, Geology and Soils; and
- NV – Noise and vibration

8.1.4 In all instances, the Principal Contractor will have responsibility for implementation of the mitigation or monitoring measures.

Table 8-1 Schedule of Mitigation

Topic	Phase	Mitigation Reference	How response has been considered
General	Construction Phase	GE1	The Contractor will be required to produce and implement a Noise Management Plan for the construction phase. The plan will be taken forward by the Contractor for any post construction works of a similar nature that are associated with the Proposed Development e.g. maintenance. The plan will be agreed with Loch Lomond and Trossachs National Park Authority and Argyll & Bute Council. Compliance with the relevant EC Directives and UK Statutory Instruments that limit noise emissions of a variety of construction plant; and guidance set out in BS 5228-1:2009+A1:2014 which covers noise control on construction sites.
General	Construction Phase	GE2	A Site Water Management Plan will be developed to manage potential risks to the water environment including silt mitigation and its locations, dewatering of excavations inclusive of pump locations, monitoring points, cut off drains, and SuDS (incl. compound). In addition, this plan will show how rivers downstream will be protected from sedimentation or pollution resulting from the project activities. The Site Water Management Plan will include a drawing of the Proposed Development, as well as any access tracks detailing all locations of water mitigation measures. All relevant activities will be undertaken in compliance with the Controlled Activities Regulations. GEMPs for 'Oil Storage and Refuelling', 'Soil Management', and 'Working with Concrete' will be adhered to.
General	Construction Phase	GE3	A Construction Traffic Management Plan will be developed by the Contractor, which will be agreed with Loch Lomond and Trossachs

Topic	Phase	Mitigation Reference	How response has been considered
			National Park Authority and Argyll & Bute Council roads team in advance of construction.
General	Construction Phase	GE4	Soil management will follow the general guidance set out in GEMP - 'Soil Management'. Additionally, reinstatement shall be completed as soon as practicably possible in order to prevent environmental disturbance.
General	Construction Phase	GE5	Dust will be managed through implementation of standard control measures such as management of stock piles to suppress dust and road cleaning in accordance with SSEN Transmission's GEMP - 'Dust Management'.
General	Construction Phase	GE6	Waste Management will be in accordance with Section 34 (Scotland) of the Environmental Protection Act, GEMP - 'Waste Management' and the waste hierarchy.
General	Construction Phase	GE7	An Environmental Emergency Response Plan will be developed by the contractor to deal with, among other things, accidental spills / leaks. Appropriate oil spill kits will be located on site and in all items of mobile plant / vehicles. Site staff will be trained in their use and provided with advice on action(s) to be taken and who should be informed in the event of a pollution incident. Emergency response teams and contractors, their locations and response times will be identified in the plan.
General	Construction Phase	GE8	On-site welfare facilities will be adequately designed and maintained to ensure all sewage is disposed of appropriately. This may take the form of an on-site septic tank with soak away, tankering and off-site disposal depending on agreement with SEPA; or discharge to foul sewer.
General	Construction Phase	GE9	The proposed timing of works dictates that work will have to be undertaken during winter months, details will be provided of how the site will be managed to address this. GEMP - 'Bad weather' will be adhered to.
General	Construction Phase	GE10	A driver induction will be undertaken to include a safety induction, speed control and the identification of specified access routes.
General	Construction Phase	GE11	Adoption of car sharing where possible to reduce the number of vehicles arriving and departing from the site.
General	Construction Phase	GE12	Local residents will be kept informed of any potentially disruptive activities and actions being taken to mitigate the impact of these activities.
General	Construction Phase	GE13	The contractor may be required to undertake road condition surveys throughout the construction works and carry out any remedial road works (as considered appropriate) resulting from the construction traffic.
General	Construction Phase	GE14	The Principal Contractor will ensure that HGV's adhere to weight restrictions on roads in the area.

Topic	Phase	Mitigation Reference	How response has been considered
General	Construction Phase	GE15	No excavations will be left open overnight, unless a ramp with a 45 degree angle is included to allow animals to escape should they fall in. All excavations will be backfilled immediately where possible.
General	Construction Phase	GE16	Where construction has not commenced within 12 months and conditions for species may have changed, surveys will be repeated in order to provide the most accurate and up to date recommendations for the Site.
Ecology and Nature Conservation	Construction Phase	E1	<p>The Code of Practice on Non-Native Species⁷⁶ sets out guidance on how developments should act responsibly within the law to help ensure that INNS do not cause harm to the environment. A minimum 7m "no disturbance" buffer should be placed around all stands of INNS as Japanese knotweed has the largest infestation area of up to 7m from the nearest growth⁷⁷. Where areas containing INNS are going to be disturbed effort to control the spread of the INNS will be required. This should be carried out via a specialist INNS contractor, with a bespoke INNS management plan produced in advance of any disturbance to INNS.</p> <p>As a result of the specific mitigation proposed, the Proposed Development will not result in the spread of invasive non-native plant species.</p>
Ecology and Nature Conservation	Construction Phase	E2	Pre-construction surveys to identify any updates to the ecological baseline. Surveys to include otter, badger, water vole, pine marten and red squirrel and to be undertaken by a SQE.
Ecology and Nature Conservation	Construction Phase	E3	Artificial lighting will not directly illuminate watercourses, natural linear features and adjacent habitat within the Site in line with guidance ⁷⁸ , so as to avoid discouraging otters and bats and other foraging wildlife from using the Site.
Ecology and Nature Conservation	Construction Phase	E4	<p>Further to the embedded mitigation, best practice guidance, endorsed by NatureScot⁷⁹, is also recommended:</p> <p>Build tunnels or culverts under new roads and passageways under bridges to provide safe access and crossing points.</p>
Ecology and Nature Conservation	Construction Phase	E5	<p>Further to the embedded mitigation, best practice guidance, endorsed by NatureScot⁸⁰, is also recommended:</p> <p>Fell trees away from badger setts and avoid blocking any badger pathways.</p> <p>Direct any security lighting away from setts.</p> <p>Store chemicals in a safe place.</p> <p>Plant dense native shrubs around setts to provide added protection.</p>

⁷⁶ Scottish Government (2012). Non-native species: code of practice. Available online at: <https://www.gov.scot/publications/non-native-species-code-practice/>

⁷⁷ Environment Agency (2006). The Knotweed Code of Practice. Available at: <http://www.nonnativespecies.org/downloadDocument.cfm?id=109>

⁷⁸ Institution of Lighting Professionals (ILP) (2018). Bats and artificial lighting in the UK. Bats and the Built Environment series, Guidance Note 08/18

⁷⁹ Nature Scot (2020). Standing advice for planning consultations – Otters. Available at: <https://www.nature.scot/doc/standing-advice-planning-consultations-otters>

⁸⁰ Nature Scot (2020). Standing advice for planning consultations – Badgers. Available at: <https://www.nature.scot/doc/standing-advice-planning-consultations-badgers>

Topic	Phase	Mitigation Reference	How response has been considered
			Install underpasses and fencing to enable badgers to cross busy roads safely.
Ecology and Nature Conservation	Construction Phase	E6	Pre-construction survey to identify nesting birds (within 48 hours prior to construction works due to occur within the nesting bird season (recognised as March to August, inclusive). To be undertaken by a SQE.
Cultural Heritage	Construction Phase	CH1	A part of Monadh Tighe Na Laraich Farmstead (HA63) will be demarcated prior to commencement of construction of the proposed access track at NGR 229110, 702910 to ensure visibility of the asset location to all members of the construction crew, and avoidance during this phase. Demarcation would be achieved using high visibility marker posts set 5 m from the edge of the assets, with the markers retained throughout the construction phase. Demarcation of the assets would be the responsibility of the Principal Contractor, with identification of the assets made on the ground by a qualified archaeologist using the baseline information provided in the Gazetteer (Appendix 5.1).
Hydrology, Hydrogeology, Geology and Soils	Construction Phase	HYD1	<p>Further investigations regarding PWS locations are required at the following eight supplies based on their potential to be impacted:</p> <ul style="list-style-type: none"> Ardmay Outdoor Centre; Cobblerview & Tighairn; Glenloun Caravan Site; Feorlin Cottage; Ferry Cottage/Rossmay; Hazelwood Cottage; Morelaggan House (Auld); and Rose Cottage. <p>This includes pre-construction surveys and discussions with the owners/occupiers, to identify any PWS that are at potential risk from the Proposed Development. If applicable, measures to mitigate for temporary interruption of water supply, or permanent alternative supply, are to be agreed prior to works commencing. Pole micro-siting should be considered to avoid PWS infrastructure. Water quality and / or quantity monitoring may be beneficial at PWS sources before, during and after construction.</p>
Noise and Vibration	Construction Phase	NV1	In addition to legislative controls, the adoption of best practicable means (BPM), as defined in Section 72 of the Control of Pollution Act 1974 CoPA, is usually the most effective means of controlling noise and vibration from construction sites. This includes the adoption of the mitigation advice contained within BS 5228-1 and BS 5228-2.