

Energy Consents Unit



Scottish Government
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Mr Andrew Hutchinson
Scottish Power Transmission Plc
320 St Vincent Street
Glasgow
G5 5AD

8th July 2025

Our Reference: ECU00005071

Dear Mr Hutchinson,

**CONSENT UNDER SECTION 37 OF THE ELECTRICITY ACT 1989 AND
DIRECTION UNDER SECTION 57(2) OF THE TOWN AND COUNTRY PLANNING
(SCOTLAND) ACT 1997 TO INSTALL AND KEEP INSTALLED THE 400kV
OVERHEAD LINE ZV DIVERSION LOCATED IN THE PLANNING AUTHORITY
AREA OF SOUTH LANARKSHIRE COUNCIL**

Application

1. I refer to the application ("Application") made on 30 August 2024 under section 37 of the Electricity Act 1989 ("the Electricity Act") by Scottish Power Energy Networks ("SPEN"), as agents for Scottish Power Transmission Plc, a company incorporated under the Companies Acts with company number SC189126, and having its registered office at 320 St Vincent Street, Glasgow, G2 5AD ("the Company").

2. The Application is for consent to remove two existing towers (and associated overhead line ("OHL") conductors) and replace with three new installed towers (and associated OHL conductors) and the inclusion of downloads to the proposed Redshaw substation ("the proposed Development"), referred to in the Application as the 400kV OHL ZV Diversion.

3. The proposed Development is located approximately 3.5 kilometres ("km") southeast of Douglas in the Planning Authority area of South Lanarkshire Council.

4. This letter contains the Scottish Ministers' decision to grant Section 37 consent for the proposed Development as described at Annex 1.

Planning Permission

5. In terms of section 57(2) of the Town and Country Planning (Scotland) Act 1997 the Scottish Ministers, may on granting consent under section 37 of the Electricity Act, direct that planning permission is deemed to be granted in respect of the overhead line and ancillary developments.

6. This letter contains the Scottish Ministers' direction that planning permission is deemed to be granted.

Background

7. The existing transmission grid infrastructure in the South of Scotland will, in the next few years, be operating at full capacity and will therefore no longer be able to accommodate the planned and potential new generation in the area. To ensure sufficient capacity for electricity that needs to be transmitted throughout the area, the Company proposes to construct a new 400kV/132kV substation (Redshaw substation) close to the existing 400kV Scotland to England interconnector ("ZV route") which will be able to accommodate a new overhead line connection from Glenmuckloch substation alongside other potential connections in the future. The Redshaw substation will be subject to a separate planning application to South Lanarkshire Council.

8. Since the existing ZV route passes through the substation site, it needs to be diverted to ensure uninterrupted power supply and safe working conditions. The diversion will allow the ZV circuit to connect to the new Redshaw substation, ensuring system reliability and integration with the updated infrastructure. It will reinforce the existing transmission network connections in the region, to enable renewable energy to connect to the GB transmission network and to ensure security of supply.

9. The principal components of the proposed Development comprise:

- Upgrades to the foundations of two existing ZV route towers (ZV108 and ZV111) and upgrade of tower arms and installation of new associated conductors;
- Removal of two existing towers (ZV109 and ZV110) and associated conductors;
- Installation of three new L8c towers at ZV109R, ZV110A, ZV110B and associated conductors and foundation works; and
- Approximately 90 metres of downloads to gantry structures within the Redshaw substation (temporary operational for three years) with a temporary alignment between towers ZV110A and ZV110B after the substation becomes operational; and

- Temporary construction access tracks.

10. The Scottish Ministers issued a screening opinion in accordance with regulation 8 of the Electricity Works (Environmental Impact Regulations) (Scotland) Regulations 2017 (“the EIA Regulations”). The screening opinion dated 5 June 2024 concluded the proposed Development was not EIA development.

11. An Environmental Appraisal (“EA Report”) dated August 2024 was submitted with the Application which assesses the environmental impacts of the proposed Development.

Legislation

12. Under paragraph 2(1) of Schedule 8 to the Electricity Act, the relevant Planning Authority, in this case South Lanarkshire Council (“the Planning Authority”), is required to be notified in respect of a section 37 consent application. The Scottish Ministers notified South Lanarkshire Council on 11 September 2024.

13. In accordance with requirements of the Electricity (Applications for Consent) Regulations 1990 (“the Consents Regulations”), a notice of the proposed Development was advertised in the local press, and the Application was made available in the public domain, and the opportunity given for those wishing to make representations to do so. Notifications were sent to the Planning Authority as well as to NatureScot, Scottish Environmental Protection Agency (“SEPA”) and Historic Environment Scotland (“HES”) and others likely to be concerned by the proposed Development by reason of their specific environmental responsibilities.

14. The Scottish Ministers have had regard to the requirements regarding publicity and consultation laid down in the Consents Regulations and are satisfied the general public, as well as statutory and other consultees, have been afforded the opportunity to consider the proposed Development and make representations on it.

15. The Scottish Ministers have had regard to the matters set out in Schedule 9 of the Electricity Act in respect of the desirability of preserving the natural beauty of the countryside, of conserving flora, fauna, and geological and physiological features of special interest and of protecting sites, buildings, and objects of architectural, historic, or archaeological interest.

16. The Scottish Ministers are satisfied that the Company has done what it can to mitigate any effect which the proposals would have on the natural beauty of the countryside, or any such flora, fauna, features, sites, buildings, or objects.

17. The Scottish Ministers are satisfied that the Company has avoided so far as possible, causing injury to fisheries or to stock of fish in any waters.

Consultation Responses

18. A summary of the consultation responses is provided below, and the full responses are available on the Energy Consents Unit website www.energyconsents.scot.

19. **The Planning Authority** raised no objection. It recommended the inclusion of appropriately worded planning conditions relating to traffic management including site access and visibility splays, and a Programme of Archaeological Works.

20. Scottish Ministers have attached conditions within Annex 2, which gives effect to the Planning Authority's recommendations.

21. **Historic Environment Scotland ("HES")** raised no objection. HES reviewed the EA Report cultural heritage appraisal and concluded the proposed Development did not have any direct physical impacts on any of its assets but may have impact on the settings of the following listed scheduled monuments: Wildshaw Hill cairn, Auchensaugh Hill cairn, Thirstone stone circle, Thorril Castle bastle house, and Netherton cairn. However, HES are content that significant adverse impacts on the integrity of the setting of these scheduled monuments are unlikely.

22. **NatureScot** raised no objection. NatureScot advised the proposed Development is close to the Red Moss Special Area of Conservation ("SAC") and Site of Special Scientific Interest ("SSSI") (designated for its active raised bog habitat) which is of international and national natural heritage importance. However, NatureScot's advice is that it is unlikely the proposed Development would have a significant effect on the active raised bog therefore an Appropriate Assessment is not required. As the SSSI and SAC designations cover the same area, NatureScot advised that its advice in respect of the Red Moss SAC also applied to the SSSI interest.

23. NatureScot noted from the EA Report that a 50 metre buffer will be applied to the watercourses, and a Construction Environmental Management Plan will be implemented. It is also noted that appropriate peat, landscape and visual amenity, and ecological surveys have been conducted, and there would be no issues of National Interest or cumulative effects.

24. NatureScot is content with the Ecology and Ornithology surveys and assessments, and the mitigation proposed in the EA Report.

Internal Consultee Responses

25. **Transport Scotland** did not object. It reviewed the Construction Traffic Management Plan within the EA Report and was satisfied there will be no significant adverse impact on the trunk road network.

26. **Ironside Farrar** - advisors to Scottish Ministers on Peat Landslide Hazard Risk Assessment ("PLHRA"), provided advice on whether the absence of a PLHRA was appropriate for the proposed Development.

27. Ironside Farrar reviewed the information on peat which was provided within the EA Report, Screening Opinion, and associated documents / baseline data. Ironside Farrar noted the baseline mapping did not indicate the significant presence of peat on the site, which was supported by a suitably detailed peat depth survey, which indicated the vast majority of the infrastructure footprint comprised peaty soils (<0.5 metres)

rather than peat. Where two isolated areas of peat exist, Iron Farrar suggested the proposed Development should be designed to avoid those.

28. Ironside Farrar concluded the baseline information, together with the Company's survey, sufficiently demonstrated it was reasonable a PHLRA was not required for this site.

29. Other consultees that provided no objection are as follows:

30. British Horse Society, BT, Defence Infrastructure Organisation, Glasgow Airport, Glasgow Prestwick Airport, Health and Safety Executive, Joint Radio Company, National Grid, NATS Safeguarding, Office for Nuclear Regulation, Scottish Water, SEPA, Scottish Forestry and The Coal Authority.

31. Consultees who did not respond to the consultation are as follows:

32. Civil Aviation Authority, Crown Estate Scotland, Douglas Community Council, Duneaton, Community Council, Fisheries - Local District Salmon Fisheries, Fisheries Management Scotland, Fisheries Trust Scotland, John Muir Trust, Mountaineering Scotland, RSPB Scotland, Scottish Rights of Way and Access Society (ScotWays), Scottish Wildlife Trust, Scottish Wild Land Group (SWLG), Visit Scotland, West of Scotland Archaeology Services and Woodland Trust.

Representations

33. The Scottish Ministers received no public representations, either in support of, or objecting to the application.

Public Inquiry

34. In accordance with paragraph 2(2) of Schedule 8 of the Electricity Act, where the relevant Planning Authority objects to an application and the objection is not withdrawn the Scottish Ministers shall cause a public inquiry to be held. The Planning Authority did not object to the Application, and no other objections have been received. The Scottish Ministers are satisfied there is sufficient information to be able to make an informed decision on the Application and that it would not be appropriate to hold a public inquiry.

The Scottish Ministers' Considerations

Main Determining Issues

35. Having considered the Application, the EA Report, responses from consultees, and Scottish Government policies, Ministers consider that the main determining issues are:

- The environmental impacts of the proposed Development;
- The extent to which the proposed Development accords with, and is supported by Scottish Government policies; and
- The contribution the proposed Development will make to realising the wider benefits of renewable electricity generation connection to the national grid.

36. These issues are considered in turn below.

Assessment of the Determining Issues

Environmental Matters

37. The Scottish Ministers have considered fully and carefully the Application, the accompanying documents, and all responses from consultees.

38. The EA Report assessed the impact of the proposed Development on landscape and visual amenities, Ecology, Ornithology, Hydrology, Hydrogeology and Peat and Cultural Heritage. The EA Report also included a detailed schedule of proposed mitigation measures to be implemented during construction, operation, and decommissioning of the proposed Development. The EA Report concluded that no significant environmental effects were considered likely, subject to the proposed mitigation measures.

39. Construction may lead to small-scale, mitigable effects on local ecological features.

40. NatureScot have advised there is potential for connectivity between the proposed Development site and the Red Moss SAC as there are two unmapped watercourses running directly adjacent to the proposed works, one of which is a tributary to the Black Burn which flows through the SAC. However, adherence to the standard/best practice measures proposed in the Application (i.e. 50 metre buffer from watercourses, preparation of, and adherence to, a Construction Environmental Management Plan which reflects best practice guidance and industry standards, including SEPA's Guidance for Pollution Prevention & general binding rules) means that it is unlikely the proposed Development will have a significant effect on the active raised bog habitat of the SAC.

41. The Scottish Ministers have reviewed the Landscape Visual Impact Assessment ("LVIA") presented within the EA Report and comments made by consultees. Given the proposed Development involves the diversion of an existing overhead line only, the Scottish Ministers consider it will not result in significant landscape or visual impacts additional to those of the existing line.

42. It anticipated there will be negligible effects on sensitive bird species during both construction and operation phases and the Scottish Ministers welcome the Company's proposal to implement a Bird Protection Plan during the works and develop enhancement measures for birds.

43. NatureScot have advised that no species protected licences are required at this stage. The Company have committed to, within the EA Report, to complete pre-construction surveys to confirm the status of protected species prior to works commencing.

44. In terms of hydrology, hydrogeology, and peat, there are no private water supplies or groundwater abstractions within 250 meters of the proposed Development. The project is situated in the Black Burn catchment and requires crossing a small, unnamed watercourse near Tower ZV111. A peat survey indicates minimal peat presence, with small, isolated areas which will be avoided where possible.

45. Regarding cultural heritage, the Scottish Ministers consider the proposed Development may have impacts on the settings of a number of listed scheduled monuments, however there will be no significant impacts on the integrity of the settings of these scheduled monuments.

46. Taking into account the environmental information, and subject to the conditions to secure mitigation measures, the Scottish Ministers consider the environmental effects of the proposed Development are acceptable.

Scottish Government Policy

Energy Strategy and draft Energy Strategy and Just Transition Plan

47. The Energy Strategy states that “Scotland should have the capacity, the connections, the flexibility and resilience necessary to maintain secure and reliable supplies of energy to all of our homes and businesses as our energy transition takes place.” It adds that “Scotland needs a balanced and secure electricity supply. That means a system and a range of technologies which provide sufficient generation and interconnection to meet demand. It means an electricity network which is resilient and sufficiently secure against any fluctuations or interruptions to supply”.

48. The proposed Development will help facilitate the construction of the proposed Redshaw substation which will ensure sufficient capacity for electricity that needs to be transmitted through the area. The Redshaw substation is expected to contribute to a more reliable, fit for purpose, and economical transmission network.

National Planning Framework 4

49. National Planning Framework 4 (“NPF4”) sets out Scottish Ministers’ policies and proposals for the development and use of land. It plays a key role in supporting the delivery of Scotland’s national outcomes and the United Nations Sustainable Development Goals. Part 1 of NPF4 sets out a Spatial Strategy for Scotland to 2045 and identifies developments of national importance to help deliver that strategy. The need for Strategic Electricity Transmission Infrastructure, of which this development is an example, is established therein.

50. NPF4 should be read as a whole, and the weight given to its policies decided on a case-by-case basis. The greatest weight in consideration of the proposed Development on the context of NPF4 is afforded to Energy policy.

51. This policy establishes an intent to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This description includes new and replacement transmission and distribution infrastructure. The desired outcome is the expansion of renewable, low carbon and zero emissions technologies. The proposed Development is enabling works in this regard and will facilitate the transmission of electricity across Scotland and improve security of supply. The proposed Development has sought to mitigate impacts on the environment as far as is reasonably possible. The Scottish Ministers conclude that the proposed Development is supported by NPF4 when read as a whole.

Contribution the proposed Development will make to realising the wider benefits of renewable electricity generation connection to the national grid.

52. Infrastructure for the transportation of low carbon electricity is essential to delivering the Scottish Government target for the equivalent of 50% of Scotland's total energy demand (heat, transport, and electricity) to be supplied from renewable sources by 2030. There is a requirement for the Company to increase its network capability in South Lanarkshire to enable the connection of further renewable generation and to export to the wider UK network. The proposed Development will help facilitate the required increase in network capacity by accommodating the construction of the new proposed Redshaw substation.

The Scottish Ministers' Conclusions

Reasoned Conclusions on the Environment

53. The Scottish Ministers conclude the proposed Development is unlikely to have a significant effect on the qualifying interests of the Red Moss SAC and SSSI. The proposed Development will not give rise to impacts on any landscape receptors of national significance. All other potential significant effects are subject to proposed committed mitigation measures, which are set out in the Company's EA Report, or otherwise subject to mitigation which is secured by conditions of this consent and deemed planning permission, and which when implemented will reduce other effects to non-significant levels. The Scottish Ministers are satisfied that this reasoned conclusion is up to date.

Acceptability of the proposed Development

54. The Scottish Ministers recognise that to achieve the dual aims of maintaining a resilient electricity network for businesses and consumers, and enabling renewable ambitions to be realised, the need for grid reinforcement is greater than ever. The proposed Development would allow the Company to comply with its statutory duty to develop and maintain an efficient, coordinated, and economical system of electricity transmission.

55. Scotland's energy policies and planning policies are all material considerations when weighing up the proposed Development. NPF4 makes it clear that low carbon energy deployment, maintaining security of electricity supply, and electricity system resilience remain a priority of the Scottish Government. These are matters which should be afforded significant weight in favour of the proposed Development. The Scottish Ministers conclude, for the reasons set out above, that the proposed Development is supported by Scottish Government policies.

56. The Scottish Ministers have taken into account the Application, the EA Report as well as consultee responses, and consider that the effects of the proposed Development are acceptable subject to the implementation of mitigation measures which are secured as conditions at Annex 2.

The Scottish Ministers' Determination

57. Subject to the conditions set out in **Annex 2 - Part 1**, the Scottish Ministers **grant consent** under section 37 of the Electricity Act 1989 to install and keep installed above ground the overhead electric line (as described in **Annex 1**).

58. Subject to the conditions set out in **Annex 2 - Part 2**, the Scottish Ministers direct that **planning permission be deemed to be granted** under section 57(2) of the Town and Country Planning (Scotland) Act 1997 in respect of the Development described in **Annex 1**.

59. The consent may, at any time after the expiry of a period of six months from the date of the consent, be varied or revoked by the Scottish Ministers under section 37(3)(b) of the Electricity Act.

Section 37 consent and expiry of Planning Permission

60. The consent hereby granted will last for a period of forty (40) years from the earlier of:

61. The date of Final energisation of electric lines consented forming part of the proposed Development; or

62. The date falling two years from the date of commencement of development.

63. Section 58(1)(a) of the Town and Country Planning (Scotland) Act 1997 requires where planning permission is deemed to be granted, that it must be granted subject to a condition that the permission will expire if has not begun within a period of 3 years. Section 58(1)(b) of that Act enables the Scottish Ministers to specify that a longer period is allowed before planning permission will lapse. The Scottish Ministers consider that due to the constraints, scale, and complexity of constructing such developments, a 5-year time scale for the commencement of development is typically appropriate.

64. The Scottish Ministers consider that 3 years is not to apply with regard to the planning permission granted above, and that planning permission is to lapse on the expiry of a period of 5 years from the date of this direction, unless the development to which the permission relates is begun before the expiry of that period. A condition has been imposed stating that development must be begun within 5 years beginning with the date on which the permission is deemed to be granted and if development has not begun at the expiration of that period, the planning permission will lapse in terms of section 58(3) of the 1997 Act.

65. Copies of this letter and the consent have been sent to South Lanarkshire Council as the relevant Planning Authority. This letter has also been published on the Scottish Government Energy Consents website: www.energyconsents.scot.

66. The Scottish Ministers' decision is final, subject to the right of any aggrieved person to apply to the Court of Session for judicial review. Judicial review is the mechanism by which the Court of Session supervises the exercise of administrative functions, including how the Scottish Ministers exercise their statutory function to determine applications for consent.

67. The rules relating to the judicial review process can be found on the website of the Scottish Courts – [chapter-58-judicial-review.pdf](http://www.scotcourts.gov.uk/chapter-58-judicial-review.pdf) ([scotcourts.gov.uk](http://www.scotcourts.gov.uk)).

68. Your local Citizens' Advice Bureau or your solicitor will be able to advise you about the applicable procedures.

Yours faithfully

Mark Christie

Mark Christie

A member of the staff of the Scottish Ministers

Annex 1 – Description of Development

Annex 2 – Section 37 and Deemed Planning Conditions

Annex 3 – Site Layout Plan

ANNEX 1

Description of Development

The proposed Development comprises the removal of two existing towers (and associated OHL conductors) from the existing 400kV Scotland to England interconnector (known as ZV route) and replacement with three new installed towers and associated OHL conductors between the towers to maintain a continuous connection.

The proposed Development covers a distance of approximately 1.1 km.

The principal components of the proposed Development consist of:

- Upgrades to the foundations of two existing ZV route towers (ZV108 and ZV111) and an upgrade of the tower arms of both ZV108 and ZV111 at the existing locations with removal of old and installation of new associated conductors;
- Removal of two existing towers (ZV109 and ZV110) and associated conductors;
- Installation of three new L8c towers at ZV109R, ZV110A, ZV110B and associated conductors and foundation works;
- Approximately 90m of downleads to gantry structures within the Redshaw substation with a temporary alignment between towers ZV110A and ZV110B. The downlead connections to the gantry will only be constructed once the proposed Redshaw substation is constructed and prior to the substation being brought into operation. The temporary alignment between ZV110A and ZV110B will then be removed; and
- Temporary construction access tracks.

All as more particularly described in the application made to the Scottish Ministers by the Company on 30 August 2024, and as shown on plans comprising Annex 3 to this decision letter.

ANNEX 2

Part 1

Conditions Attached to Section 37 Consent

1. Commencement of Development

- (1) The Development shall be commenced no later than the expiration of five years from the date of this consent, or in substitution such other period as the Scottish Ministers may approve in writing.
- (2) Written confirmation of the intended date of Commencement of Development shall be provided to the Scottish Ministers and the Planning Authority as soon as practicable after deciding such a date and in any event no later than one calendar month prior to the Commencement of Development.

Reason: *To avoid uncertainty and ensure that the consent is commenced within a reasonable time period and to allow the Planning Authority and Scottish Ministers to monitor compliance with obligations attached to this consent and deemed planning permission as appropriate.*

2. Notification of Date of Final Energisation

- (1) Written confirmation of the Date of Final Energisation shall be provided to the Scottish Ministers and Planning Authority no later than one calendar month after Final Energisation of the Development.

Reason: *To allow the Planning Authority and the Scottish Ministers to record when energisation of the line has taken place for the purposes of monitoring the period of the consent and comply with obligations and conditions attached to this consent and deemed planning permission.*

3. Assignment

- (1) This consent shall not be assigned, alienated or transferred without the prior written authorisation of the Scottish Ministers.
- (2) In the event that assignment is authorised, the Company shall notify the Planning Authority and Scottish Ministers in writing of the principal named contact at the assignee and contact details within fourteen days of the consent being assigned.

Reason: *To safeguard the obligations of the consent if transferred to another company.*

4. Serious Incident Reporting

- (1) In the event of any breach of health and safety or environmental obligations relating to the Development causing harm to the environment (including harm to humans) during the period of this consent, written notification of the nature and timing of the incident shall be submitted to the Scottish Ministers within twenty-four hours of the breach becoming known to the Company, including confirmation of remedial measures taken and/or to be taken to rectify the breach.

Reason: *To keep the Scottish Ministers informed of any such incidents which may be in the public interest.*

Part 2

Conditions attached to Deemed Planning Permission

5. Commencement of Development

- (1) The Development shall be commenced no later than the expiration of five years beginning with the date of this consent, or in substitution such other period as the Scottish Ministers may approve in writing.
- (2) Written confirmation of the intended date of the Commencement of the Development shall be provided to the Planning Authority and the Scottish Ministers as soon as is practicable after deciding such a date and in any event no later than one calendar month prior to the Commencement of Development.

Reason: *To comply with section 58 of the Town and Country Planning (Scotland) Act 1997.*

6. Implementation in accordance with approved plans and requirements of the section 37 consent

- (1) Except as otherwise required by the terms of the section 37 consent and deemed planning permission, the Development hereby approved shall be undertaken in accordance with the Application and the accompanying Environmental Appraisal Report including all Appendices (dated August 2024), and including all mitigation and monitoring measures stated in it, and other documentation lodged by the Company in support of the Application.

Reason: *To ensure that the Development is carried out in accordance with the approved details.*

7. Limits of deviation and micro-siting

- (1) All towers shall be constructed to the height and in the locations as set out in Table 2.3 of the Environmental Appraisal Report. The location and height of towers may be adjusted within the following Limit of Deviation:
 - a) No tower shall be positioned more than 100 metres on the horizontal axis of the proposed overhead line alignment;
 - b) No tower shall be more than a height of 10% above the existing tower heights above existing ground levels inclusive of all steel works and insulators, unless otherwise agreed by prior written consent of the Planning Authority; and
 - c) No track shall be positioned more than 50 metres either side of their proposed locations.
- (2) No later than one month after the date of Final Commissioning of the Development, an updated drawing must be submitted showing the final position of the Development (including the positioning and height of all towers and associated infrastructure) for the written approval of the Planning Authority. The updated

drawing requires to specify areas where micro-siting has taken place and, for each instance, be accompanied by copies of the Environmental Clerk of Works approval or other technical justification.

Reason: *To control environmental impacts while taking account of local ground conditions.*

8. Planning Monitoring Officer

- (1) There shall be no Commencement of Development until the terms of appointment by the Company of an independent and suitably qualified environmental consultant as Planning Monitoring Officer ("PMO") have been submitted to and approved in writing by the Planning Authority.
- (2) The terms of appointment shall:
 - (a) impose a duty to monitor compliance with the terms of the deemed planning permission and the conditions attached to it;
 - (b) require to set out the frequency of PMO visits to site;
 - (c) require the PMO to submit a monthly report to the Planning Authority summarising works undertaken on site; and
 - (d) require the PMO to report to the Planning Authority any incidences of non-compliance with the terms of the deemed planning permission and conditions attached to it at the earliest practical opportunity, and no later than 10 working days following the incidence of non-compliance.
- (3) The PMO shall be appointed on the approved terms throughout the period from Commencement of Development to completion of construction works and post-construction site restoration and restoration works, unless otherwise agreed by the Planning Authority.

Reason: *To ensure compliance with the planning permission and the conditions attached to it.*

9. Construction Hours

- (1) Construction work which is audible from any noise sensitive receptor shall only take place between the hours of 07:00 to 19:00 on Mondays to Fridays inclusive and 07:00 to 16:00 on Saturdays, with no construction working taking place on Sundays or on local public holidays. Outwith these specified hours only maintenance works, emergency works, and limited construction works on the site as specified; concrete pours, dust suppression, and the testing of plant and equipment are permissible (unless otherwise approved in advance in writing by the Planning Authority).
- (2) HGV movements to and from the site (excluding abnormal loads) during construction of the Development shall be limited to 07:00 to 19:00 Mondays to

Fridays, and 07:00 to 16:00 on Saturdays, with no HGV movements to or from site taking place on Sundays or on local or on Public Holidays (unless otherwise approved in advance in writing by the Planning Authority).

Reason: *In the interests of local amenity.*

10. Construction Environmental Management Plan

- (1) No development shall be commenced unless and until a site-specific Construction Environmental Management Plan ("CEMP") has been submitted to and has been approved in writing by the Planning Authority.
- (2) The CEMP shall address requirements arising from the construction and reinstatement phases of the Development, shall inform the production of construction method statements, and shall specify the siting of working areas, soil management practices, measures to prevent pollution of watercourses, environmental site monitoring and noise mitigation measures where identified to be required.
- (3) The CEMP shall be in accordance with recommendations set out in Ironside Farar's consultation response dated 18 December 2024.
- (4) The Development shall be implemented in accordance with the requirements of any approved Construction Procedures Handbook, copies of which shall be maintained available on site for the duration of construction works.
- (5) The Development shall be implemented thereafter in accordance with the approved CEMP unless otherwise approved in advance in writing by the Planning Authority.

Reason: *In the interests of pollution and noise control.*

11. Environmental Clerk of Works

- (1) There shall be no Commencement of Development until the terms of appointment of an independent and suitably qualified environmental consultant as an Environmental Clerk of Works ("EnvCoW") by the Company has been submitted to and approved in writing by the Planning Authority.

The terms of appointment shall:

- (a) Impose a duty to monitor compliance with the ecological and hydrological commitments provided in the '400kv OHL ZV Diversion Environmental Appraisal Report' dated August 2024 and any other plans approved under the conditions to this deemed planning permission;
- (b) Require the EnvCoW to approve in advance any micro siting and oversee micro siting requirements of this permission;
- (c) Require the EnvCoW to report to the nominated construction project manager any incidences of non-compliance with the EnvCoW works at the earliest practical opportunity;

- (d) Require the EnvCoW to report to the Planning Authority any incidences on non-compliance with the EnvCoW works at the earliest practical opportunity, and no later than 10 working days following the incidence of non-compliance;
 - (e) Require the EnvCoW to submit reports to the Planning Authority, at a period agreed by the parties before the Commencement of the Development, summarising works undertaken on site.
- (2) The EnvCoW shall be appointed on the approved terms throughout the period of Commencement of Development, throughout any period of construction activity to completion of post construction reinstatement and restoration works, unless otherwise approved by the Planning Authority.

Reason: *To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the Development.*

12. Archaeology

- (1) There shall be no Commencement of Development unless an archaeological Written Scheme of Investigation (“WSI”) has been submitted to, and approved in writing by, the Planning Authority in consultation with the West of Scotland Archaeology Service.
- (2) The WSI shall provide details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the WSI will be provided throughout the implementation of the programme of archaeological works. The WSI shall also detail how any requirement for reporting, post-excavation analysis, archive deposition, publication of results, and the delivery of public benefit (including how this will be recorded and reported) will be undertaken.
- (3) A programme of archaeological works must be carried out in accordance with the approved WSI, and any addendums to it, as agreed under Part (1) of this condition.

Reason: *To ensure the protection or recording of archaeological features on the site.*

13. Bird Protection Plan

- (1) There shall be no Commencement of Development unless and until a Bird Protection Plan (“BPP”) has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot. The BPP shall be informed by Appendix 1.1 of the 400kV OHL ZV Diversion Environmental Appraisal Report dated August 2024.
- (2) Thereafter the approved BPP shall be implemented in full, unless otherwise agreed in advance and in writing with the Planning Authority in consultation with NatureScot.

Reason: *In the interest of the protecting bird species through the construction, operational and decommissioning of the Development.*

14. Traffic Management Plan

- (1) There shall be no Commencement of Development until a Traffic Management Plan ("TMP") has been submitted to and approved in writing by the Planning Authority (in consultation with the roads authority).
- (2) The TMP shall include details of the number and type of vehicles to be used during the construction phase (including formation of access tracks and removal/erection of towers); swept path analysis for the longest delivery vehicles and the total weights and individual axle loads of any abnormal loads (if relevant); and provisions for the reinstatement or repair of road surfaces, verges or roadside features, by the Company, damaged by construction traffic. The TMP shall also include the following:
 - a. A plan showing the intended transportation route to/from site via Junction 13 (M74);
 - b. An assessment of any abnormal loads to identify overrun areas/oversailing affecting the public road. Where vehicles are abnormal by weight, then details of separate bridge inspections and assessments which shall be submitted to the Planning Authority for approval a minimum of four months prior to such loads being moved;
 - c. All temporary works including relocation of signs, advanced warning signing details, guardrails, bollards, street furniture and all temporary measures;
 - d. Details of the construction compound including staff car parking and turning area such that no construction or delivery vehicles shall park on the B7078;
 - e. Details of proposed signage during the delivery and construction period;
 - f. Emergency contact details;
 - g. Road cleaning systems to prevent mud/debris being deposited on the B7078;
 - h. Arrangements for roads dilapidation surveys of the carriageway/verge and agreement for any necessary road repairs to be undertaken at the Company's expense;
 - i. Details for both site accesses onto the B7078 including width and radii and the location of any security gates; and
 - j. Details of any visibility splays.
- (3) The site access shall be formed in such a way as to prevent surface water or deleterious material from entering the public road.
- (4) The approved TMP shall thereafter be implemented in full unless otherwise agreed in advance in writing by the Planning Authority.

Reason: *In the interests of road safety and to ensure that abnormal loads access the site in a safe manner.*

15. Decommissioning Scheme

- (1) Two years prior to the expiry of the period of the deemed planning permission or in the event that the overhead line to be installed under this permission fails following the date of Final Energisation to transmit electricity for a continuous period of one year, a Decommissioning Plan shall be submitted to and approved in writing by the Planning Authority. The Plan shall include details about the removal of all elements of the Development, relevant access tracks and all cabling, including where necessary details of:
 - (a) justification for retention of any relevant elements of the Development;
 - (b) the treatment of disturbed ground surfaces;
 - (c) management and timing of the works;
 - (d) environmental management provisions, including species protection plans;
 - (e) the removal of all components of the line from the site for recycling or disposal;
 - (f) a traffic management plan to address any traffic impact issues during the decommissioning period; and
 - (g) all in accordance with the relevant legislative requirements and published best practice at time of decommissioning, unless a subsequently amended scheme is submitted to and agreed in writing by the Planning Authority.
- (2) Thereafter the Decommissioning Plan shall be implemented in accordance with the approved details and timetable.

Reason: *To ensure that should the line no longer be required that an appropriate mechanism is in place for decommissioning of the Development and reinstatement of the land.*

Definitions

In this consent and deemed planning permission: -

“the Application” means the application submitted by the Company on 30 August 2024, the Environmental Appraisal Report dated August 2024, and any other environmental information submitted by the Company in support of the Application.

“Commencement of the Development” means the implementation of the consent and deemed planning permission by the carrying out of a material operation within the meaning of section 27 of the Town and Country Planning (Scotland) Act 1997.

“the Company” means SP Transmission PLC, a company incorporated under the Companies Act (Registered company number SC 189126) having its registered office at 320 St Vincent Street, Glasgow, G5 5AD, or such other person who from time to time may lawfully have the benefit of this consent.

“Date of Final Energisation” means the earlier of (i) the date on which all electric lines consented forming part of the Development transfer energy via the grid network; or (ii) the date falling four years from the date of Commencement of Development.

“the Development” means the development authorised by this section 37 consent and deemed planning permission described in Annex 1.

“Public Holiday” means;

- New Year's Day, if it is not a Sunday or, if it is a Sunday, 3rd January.
- 2nd January, if it is not a Sunday or, if it is a Sunday, 3rd January.
- Good Friday.
- Easter Monday.
- The first Monday in May.
- The first Monday in August.
- The third Monday in September.
- 30th November, if it is not a Saturday or Sunday or, if it is a Saturday or Sunday, the first Monday following that day.
- Christmas Day, if it is not a Sunday or, if it is a Sunday, 27th December.
- Boxing Day, if it is not a Sunday or, if it is a Sunday, 27th December.

“HES” means Historic Environment Scotland.

“Planning Authority Area” means the boundary of South Lanarkshire Council.

“SEPA” means Scottish Environmental Protection Agency.

“NatureScot” means Scottish Natural Heritage now operating as NatureScot.

“the Planning Authority” means South Lanarkshire within whose boundary the Development is situated.