

**SUMMARY OF REPORTERS' CONCLUSIONS IN
RELATION TO CAIRNGORMS NATIONAL PARK**

SUMMARY OF CONCLUSIONS, AND RECOMMENDATION

1.1.1 This volume contains: (a) a summary of our conclusions which is reproduced from the concluding chapters of Volumes 1-5 of the report; (b) our conclusions on compliance with national planning policies and development plan policies; and (c) our overall conclusions and recommendations.

SUMMARY OF CONCLUSIONS: VOLUME 1 (STRATEGY)

Statutory context

1.2.1 In deciding whether to grant consent for this application under section 37 of the Electricity Act 1989, the Scottish Ministers must consider the desirability of preserving natural beauty, conserving flora, fauna and geological or physiographical features of special interest, and protecting sites, buildings and objects of architectural interest (paragraph 3(1)(a) of Schedule 9), and the extent to which the applicants have complied with their duty to mitigate the effect of their proposals (paragraph 3(1)(b) of Schedule 9).

1.2.2 The applicants' duties to develop and maintain an efficient, co-ordinated and economical electricity transmission system, and to facilitate competition in the supply and generation of electricity (section 9 of the 1989 Act), underpin their technical and economic case for the Beauly-Denny scheme.

1.2.3 The Scottish Ministers may direct that planning permission shall be deemed to be granted under 57(2) of the Town and Country Planning (Scotland) Act 1997, subject to conditions. Although we do not consider that section 25 of the 1997 applies to this case, we are clear that the provisions of the development plans which cover the area through which the project would run are important material considerations, together with *inter alia* the requirements of the 1989 Act, national policies, the technical and economic justification for the scheme, and its potential environmental effects. SPP1 confirms that legitimate public concern on relevant planning matters is also a material consideration. This is particularly pertinent in this case where over 17,000 letters of objection were lodged.

1.2.4 We recognise the national importance of the designation of the Cairngorms National Park. However, the national park is designated for a range of attributes, and the designation does not mean that every part of the area is of outstanding value in relation to each of those attributes (e.g. landscape, ecology, nature conservation, archaeology, cultural heritage). The statutory aims of the national park are material considerations, which need to be considered alongside the other considerations highlighted above.

National policies

1.2.5 We are satisfied that the upgrading of the electricity grid between Beauly and Denny is supported by UK and Scottish national policies which aim to promote renewable energy developments as part of the drive to tackle climate change. The need to upgrade the Beauly-Denny line is explicitly recognised in the National Planning Framework (NPF) and elsewhere, and is seen as an urgent national

priority. This need is supported by Scottish Natural Heritage (SNH), and is not challenged by the combined councils and the Cairngorms National Park Authority (CNPA), although CNPA does not support the applicants' proposal.

1.2.6 We note that the NPF does not specify how the reinforcement is to take place between Beaully and Denny, but we find no support in the document for a subsea route or an east coast route which did not use those termini.

1.2.7 The NPF highlights the need to reduce CO₂ emissions and develop renewable sources of energy. Whilst it also underlines the importance of Scotland's landscapes, and their potential for tourism and recreation, we are not persuaded that the NPF justifies the application of a precautionary approach to this proposal.

1.2.8 The extent to which the proposal can be properly regarded as "sustainable" and complies or conflicts with national planning policies relating to natural heritage, recreation and tourism, archaeology and the historic environment, etc. can only be determined when all of the evidence of the local sessions of the inquiry has been reviewed. Accordingly we give our conclusions on those matters in the final volume (Volume 6) of this report. At this stage we note the guidance in SPP1 that every effort should be made to offset the adverse effects of developments which are necessary in the national interest.

1.2.9 National Planning Policy Guideline 14: Natural Heritage (NPPG14) reaffirms that national designations, including the CNP, are important but advises that they do not prohibit development within the designated areas. Nonetheless, NPPG14 highlights the need to take particular care to safeguard the landscape, flora and fauna of the national park.

Technical justification

1.2.10 We accept that the applicants are obliged by the terms of their licence to carry out works to reinforce the electricity transmission system that are necessary to accommodate the output of generators to which National Grid Electricity Transmission have made offers to connect. The network must be designed to a standard which is higher than just meeting demand, so that supply is secure even during outages or contingencies. The applicants' technical justification therefore depends on compliance with the deterministic security and quality of supply standards in GBSQSS. We do not accept the suggestion that the GBSQSS should be relaxed simply in order to avoid the need to reinforce the grid, or that operational intertripping could be used for compliance with planning standards.

1.2.11 In October 2006 almost 7.7GW of renewable generation was contracted to connect in the SHETL area, of which 1.4GW was already connected, under construction or consented awaiting construction. SHETL designed the reinforcement on the basis of 5.2GW, to take account of changing circumstances. Taking account of THC's clear support for the development of renewable energy sources in its area, and the evidence of contracted renewable generation in the SHETL area, we conclude that there is a pressing need to reinforce the network to accommodate the contracted increase in wind generation.

1.2.12 There remains some uncertainty about the appropriate scaling factor which should be applied to take account of the intermittency of wind generation. However, we have concluded that it is reasonable to design network improvements on the basis of the relatively high scaling factor of 60% adopted by the industry, having regard to the requirement to facilitate competition between generators and the Government's paramount aim to maximise renewable energy generation as part of the drive to tackle climate change.

Economic justification

1.2.13 We note that Ofgem has already approved the capital investment for the project, based on a break-even wind capacity of 1200MW, and that a more recent appraisal on behalf of the applicants indicates that the project would break even at 880MW. We accept the conclusion of the Technical Assessor that the expected increase in renewable generation in the north of Scotland easily justifies the investment in the Beaully-Denny project, based on the Ofgem methodology.

1.2.14 We have considered the objectors' criticisms of the methodology employed and the assumptions made, but we are not persuaded that they erode the economic justification for the project, which we are satisfied is fundamentally sound. The decision on this project cannot be based on a predicted or desired future change in Government policy, or a different market framework or system of support. We see little evidence to suggest that wind generation is likely to be a temporary phenomenon, and note that the project would still be economically justified if a low level of wind generation was achieved.

Strategic alternatives

1.2.15 We endorse the Technical Assessor's conclusion that reinforcing the Beaully-Denny corridor is considerably more economic than the other AC or DC options. Of the alternatives using the Beaully-Denny corridor, the light duty 275kV option would be cheaper but would be inadequate in the long term, and the heavy duty 275kV option would only offer a marginal saving and would be a less satisfactory solution in the long term. We therefore see little advantage in pursuing that alternative. We conclude that the proposal to terminate the line at Denny is technically sound, and represents the most economic of the alternatives considered.

1.2.16 We do not regard the east coast option as a viable alternative to the Beaully-Denny proposal, as it would be substantially more expensive, and there would still be the need to reinforce the grid between Beaully and Denny to harvest renewable generation.

1.2.17 In principle, there are obvious attractions in using a subsea cable to transmit electricity from the north of Scotland to its markets in the south. That option would be technically feasible, but it would be intrinsically much more expensive, and would not overcome the need to upgrade the grid to harvest renewable generation between Beaully and Denny. Even the least expensive of the subsea options is likely to cost an additional £250m, and would be substantially less economic than the Beaully-Denny proposal.

1.2.18 It would not be technically feasible to underground the entire line from Beauly to Denny. The evidence indicates that a theoretical maximum of 40km (in a single or multiple sections) could be undergrounded, due to technical constraints. We accept the Technical Assessor's advice that any underground section could initially be installed on the basis of one cable per phase, but in the long term it is likely that a second cable per phase would be required.

1.2.19 If the Scottish Ministers required a section of the proposed line to be undergrounded, the applicants would need to revert to Ofgem with an "asset value adjusting event", as the economic justification of the project would be affected. Based on the generic evidence at the strategy session of the inquiry, the Technical Assessor concludes that the Beauly-Denny scheme would still be the most economic scheme if a total of 10km of line was undergrounded, even with two cables per phase.

1.2.20 We have no doubt that it would be technically feasible to underground a section or sections of the Beauly-Denny line. However, it is inherently less efficient and less economic than an overhead line. Underground cables are many times more expensive to install than overhead lines; the precise ratio depending on a number of site specific physical factors, together with the type of technology, number of cables per phase, system voltage, etc. Nonetheless, we agree with the Technical Assessor that the economic case for reinforcing the Beauly-Denny line is so strong that a section or sections of the line could probably be undergrounded without rendering the project uneconomic.

1.2.21 Undergrounding offers the potential to reduce the landscape and visual impact of the line in sensitive areas (including cultural heritage sites), and to reduce the risk of birds colliding with powerlines. However, the siting and screening of sealing end compounds present their own challenges, and the more extensive excavation and engineering works required to install underground cables might be detrimental to ecology and nature conservation, and archaeology, in certain locations.

Strategic route selection

1.2.22 We consider that the route planning programme, from prior to January 2003 until October 2006, was extensive and thorough and followed a logical and clearly defined process. Where changes were made to the route as result of consultation responses, we are satisfied that there was an adequate opportunity to comment. We consider that it was reasonable for the applicants to carry out a route selection and consultation exercise for their overhead line proposal, rather than any underground alternative. The applicants' reference at the time to oil filled (rather than the more recent XLPE) cables reflected the technology which was widespread at the time of the consultation exercise. The evidence on that matter was brought up to date in evidence to the inquiry at the strategy and local sessions.

1.2.23 The applicants' route selection objective, which seeks to identify a technically and economically viable route that causes the least disturbance to the environment, is appropriate. The Holford Rules are a good starting point, but they were intended as guidelines rather than rules, and should be applied as such.

1.2.24 Whilst we acknowledge the national importance of the national park designation, we cannot accept the CNPA's proposition that, as a matter of principle, the line should not be routed through the national park. We note SNH's response to the alternative route to the west that avoided the CNP, which gained no support and would have had a significant impact on wild land outwith the park. We consider compliance with the National Park Plan and other relevant CNP policies in volume 3 of this report, but at this stage we do not accept the contention that every development proposal in the national park must comply with all four aims of the park as set out in the 2000 Act. Paragraph 25 of NPPG14 provides an approach to the assessment of proposals in the national park, which we explore in volume 3 of our report.

1.2.25 We consider The Highland Council's objections to the route in four particular areas, and the arguments in favour of a route to the west of Stirling, in the relevant local volumes of the report.

Design and construction of the OHL

1.2.26 The design of the line would meet relevant statutory requirements to protect the safety of the public. The applicants have justified their choice of towers on technical and aesthetic grounds, and at this stage we have no evidence to suggest that the design is unacceptable. However, in principle it would be possible to use low height towers for short sections of the line, if it could be shown that there was a clear advantage to amenity.

1.2.27 The applicants' proposals for the construction and removal of access tracks have been devised in discussion with SNH, and the methodology, specification and mitigation measures would be detailed in the Construction Procedures Handbook (CPH). We are satisfied that the potential for impacts on peat areas has been carefully considered, and that the applicants' generic proposals are acceptable in this respect providing the terms of the CPH are implemented.

EIA assessment methodology

1.2.28 We note that the Environmental Impact Assessment was undertaken as described in the scoping report and the revised scoping opinion. No objections challenged the overall approach to assessment methodology as reported in the Environmental Statement (ES), although objections questioned particular aspects of the methodology, which are evaluated elsewhere in this volume. Overall we conclude that the methodology is fundamentally sound, and that the ES was prepared in accordance with the 2000 EIA regulations.

Electric and magnetic fields

1.2.29 The health related concerns raised by the objectors are closely linked to the levels of electric and magnetic fields which would be created by the flow of electricity along the power lines. We advised the parties before the inquiry that Electric and Magnetic Field (EMF) levels and possible health risks would be considered in the context of Government policy and guidance. The evidence indicates that magnetic

field strengths would remain well below the International Commission on Non-Ionizing Radiation Protection (ICNIRP) reference level. Although electric field strengths in certain locations could exceed the ICNIRP reference level, and a number of spans required a third stage assessment, in view of the nature of the terrain, the limited access and limited period of exposure, the line would comply with relevant Government guidelines. We therefore accept the advice of the Technical Assessor that the proposal complies with current guidelines on EMF.

1.2.30 We consider that the Technical Assessor has provided a reasonable and fair summary and analysis of the evidence to the inquiry on the research into the health effects of EMF. He concludes that the matter is controversial and the science can be interpreted in different ways; and notes the uncertainty about how childhood leukaemia could be caused by Extremely Low Frequency (ELF) EMF below guidance values, as no causal mechanism has been proved. Having carefully considered the evidence to the inquiry, and the terms of the Technical Assessor's report, we are not persuaded that a clear case has been made for setting aside Government policy and guidance.

1.2.31 We have taken account of the interim report by SAGE (Stakeholder Advisory Group on ELF EMF), the Cross Party Inquiry report and the BioInitiative report, all of which were published after the discussion on EMF at the strategy session of the inquiry. However, in the absence of a Government response to SAGE and the Cross Party Inquiry, we accept the advice of the Technical Assessor that firm conclusions cannot be drawn from the reports, neither of which represent Government policy, and that the case is not strong enough to propose precautionary measures.

Landscape and visual impact

1.2.32 We are satisfied that, overall, the landscape and visual impact assessments accord with relevant guidance and best practice, and that they provide an adequate basis to consider landscape and visual impact in greater detail in the reports of the local sessions of the inquiry. The assessments followed the guidance in the Guidelines for Landscape and Visual Impact Assessment (GLVIA), which is the widely accepted industry standard, and we have not found any significant flaw or oversight in the methodology. Specifically, we are content with the methodology for the assessment of cumulative impact, the CNP, the landscape of the Highlands, and wild land, which was queried by objectors. Although the visualisations in the ES were criticised, we are satisfied that the process followed by the applicants did not contain any fundamental flaws.

1.2.33 However, regardless of methodology, we acknowledge that any assessment of landscape and visual impact relies on professional judgement. We consider the particular areas where the parties disagree on the degree of impact in the local volumes of this report.

Ecology and nature conservation

1.2.34 Overall we are satisfied that the applicants' assessment of ecology and nature conservation accords with statutory requirements, and relevant guidance and best practice. It provides an adequate basis to assess the proposal against the general

duty to conserve biodiversity, and to assess the impact on protected sites and protected species, and other areas of ecological or nature conservation importance. Since the production of special studies of the impact on potentially affected Natura sites, there is now sufficient evidence to assess the likely impact on the relevant Special Areas of Conservation and Special Protection Areas (which we address in the relevant local volumes of the report). The applicants have remedied any significant inadequacies in the ES which were highlighted by SNH and the Royal Society for the Protection of Birds, including concerns about the method of estimating the bird collision risk.

1.2.35 Although we do not consider that a separate assessment of ecology and nature conservation in the CNP was required, we are satisfied that the applicants have assessed the impact of the proposal on all relevant ecology and nature conservation interests in the CNP.

1.2.36 The project has the potential to cause significant impacts on protected animal species, through effects on habitats, resting up sites, commuting routes and flyways, pollution of watercourses, etc. However, the evidence indicates that there would not be an adverse effect on their favourable conservation status. The construction and dismantling of the line would potentially have an adverse effect on birds, depending on timing and other factors. There would also be potential impacts when the new line was in operation.

1.2.37 One of the main potential impacts on birds is the risk of collision with power lines. Although the 400kV conductors would be more visible than those on the existing line, the earthwire would be some 24.5m higher, and hence the new line would be a greater collision risk. Overall the impact of collision mortality is unlikely to be significant, but the impact on particular areas and species of concern is addressed in the local volumes of the report. There is a negligible risk to birds from electrocution.

1.2.38 There is likely to be a significant effect on vegetation along the length of the line in the short term, reducing to minor in the long term. However, it is unlikely that the cumulative impact on plant species of conservation interest would be significant.

1.2.39 We note that the route was altered in at least 15 locations in the interests of ecology and ornithology. Amongst the other forms of mitigation proposed are the provision of earth markers on a total of 32km of the line to reduce bird collision risk.

1.2.40 In the local volumes of the report we consider for each of the SPAs and SACs whether an appropriate assessment is required, and if so whether there would be no adverse effect on the site's integrity. In those circumstances we agree with SNH that there is now sufficient evidence to enable the Scottish Ministers as the competent authority to make such a determination.

Forestry

1.2.41 It is inevitable that trees would be lost in a project of this nature which entails the erection of towers and stringing of cables through woodlands. A total of 92.2ha would be affected by the proposed line, of which 2.2ha would comprise designation 1

ancient woodland as classified by SNH, but the removal of the existing line would release a total of 65 hectares of Ancient Semi-Natural Woodland including 11.6ha of designation 1 woodland for regeneration. The visual impact of felling would be mitigated by the application of the forest design concept which has been developed in consultation with Forestry Commission Scotland and the local authorities.

Tourism, recreation and economic impact

1.2.42 In the absence of published guidelines for the assessment of the impact on tourism and recreation of a scheme such as this, the applicants' consultants have applied a methodology which they have used in previous projects. We see some value in the applicants' business survey, but we are less convinced by the applicants' assertion that an impact of less than 15% is retrievable by marketing and promotion.

1.2.43 Tourism is a vital element of the economy of the areas affected by the proposed line. This is especially true in the THC area, including the national park. However, there has been a general decline in Scottish tourism, which has been partly offset by increases in visitors from overseas.

1.2.44 We find that the evidence regarding the likely impact of the proposed transmission line on tourism in the area is unsatisfactory. The objectors rely on a VisitScotland survey on public attitudes to windfarms, and the responses to prompted questions need to be viewed with caution. On the other hand, the applicants place weight on a survey of businesses after the construction of a transmission line in Ayrshire, but due to the differences in the nature of the tourism economy and other factors we do not regard the circumstances as comparable. The applicants' attempt to quantify the likely impact of the Beaully-Denny scheme relies on a number of unproven assumptions about the attitudes and behaviour of visitors. Consequently, we conclude that we do not have the evidence to quantify the potential impact of the proposal on tourism along the line.

1.2.45 In practice, we would expect the impact on tourism to depend in large measure on the landscape and visual impact of the line, which is considered in detail in the local volumes of the report. We also address the impact on particular areas, visitor attractions, tourist routes and recreation facilities (including access routes) in Volumes 2-5 of the report.

1.2.46 We recognise the real and growing importance to the economy, especially in the Highlands, of TV and feature film productions, commercials and stills photography, exemplified by the success of the long running TV series "Monarch of the Glen" which injected substantial income into the local economy. However, there is little evidence that the presence of pylons deters film makers from using the Highlands. Indeed, it appears that other factors such as fiscal and financial incentives are more important in influencing decisions on whether to film in Scotland or New Zealand, for example. In the relevant local volumes of the report we examine the extent to which potential filming locations would be affected by the presence of the proposed line.

1.2.47 We consider the effect on agricultural and sporting interests in detail in the local volumes of this report. The project would affect over 100 land interests, of whom 14 are predicted to experience a significant effect.

Archaeology and cultural heritage

1.2.48 We agree with Historic Scotland that the assessment of archaeology and cultural heritage in the ES is generally satisfactory and follows best practice, although it appears that “cultural heritage” was given a somewhat narrow interpretation. The initial failure to fully investigate the implications of the proposal for the site of the Battle of Sheriffmuir was remedied by the publication of further detailed work on the matter in the Second Addendum. The dispute between the parties about the significance of impact on the setting of cultural heritage features is addressed in the local volumes of this report.

1.2.49 The proposal would have an impact on a substantial number of cultural heritage features within and beyond the affected corridor, including scheduled ancient monuments, listed buildings and historic gardens and designed landscapes. The potential impact on specific cultural heritage features highlighted by HS, including the Wade road through the Corrieyairack Pass and the site of the Battle of Sheriffmuir, is discussed in the local volumes of the report.

Private water supplies

1.2.50 There is legitimate concern about the risk that the development might interrupt or pollute private water supplies. However, we are satisfied that the rigorous application of measures contained in the CPH and the imposition of a binding condition would adequately protect the interests of those who rely on private water supplies.

Noise

1.2.51 We accept the methodology used by the applicants' consultants in preparing noise assessments of the scheme. On that basis we find that it is unlikely that any widespread or long lasting construction noise would occur, and we do not expect that complaints would occur from nearby residents about noise when the line was in operation.

Conditions

1.2.52 The conditions which might be imposed in the event that Scottish Ministers decided to grant deemed planning permission were the subject of considerable discussion and debate at the inquiry. There was a large measure of agreement between the main parties on the scope and terms of the proposed conditions, but we address the main areas of dispute in chapter 21 of this volume. In doing so, we have had close regard to the terms of SODD Circular 4/1998: The Use of Conditions in Planning Permissions.

1.2.53 We consider that the proposed community benefit condition tabled by the combined councils/CNPA is not justified by the terms of established policies, and is not necessary or relevant to the current proposal.

1.2.54 We note that all committed mitigation measures would be included in the Construction Procedures Handbook or in contracts for works to the existing road network and substations, for example. The CPH would also include any conditions imposed by Scottish Ministers and environmental best practice measures, amongst other things. It would aim to minimise the disturbance caused by the construction and dismantling, control and mitigate the effects on the environment, ensure all environmental commitments and conditions are met, and achieve appropriate restoration and aftercare. It would be prepared in consultation with affected landowners and taking account of the views of consultees and others. We have also recommended the imposition of a number of conditions on the development to address specific concerns raised with us.

1.2.55 We consider that a designated independent person appointed by Scottish Ministers should be appointed at the applicants' expense to ensure compliance with all contractual requirements and to oversee the work of the environmental teams. This individual should have the power to halt works in any location where environmental commitments are not being successfully delivered or where legal requirements are being breached. On that basis we consider that certain of the concerns expressed by SEPA and others could be satisfactorily addressed

1.2.56 We do not consider that SEPA's request to recover the cost of its participation in the Environmental Liaison Group is justified, given SEPA's statutory remit and interest in the water environment and pollution control.

SUMMARY OF CONCLUSIONS: VOLUME 2 (BEAULY – NATIONAL PARK BOUNDARY)

Landscape and visual impacts

1.3.1 The route of the proposed overhead line between Beauly and the boundary of the Cairngorms National Park does not pass through any designated areas, and there would be no direct impact on the landscape character of the nearby national scenic areas, areas of great landscape value, or historic garden and designed landscape.

1.3.2 However, a number of considerations were taken into account in devising the route of the proposed overhead line between Beauly and Garva Bridge, of which landscape character and visual impact were not always the primary factors. It is inevitable that a project of this type and scale would have significant adverse impacts on landscape character and visual amenity in this section of the line, particularly given the route has to negotiate recognised pinch points at Balblair substation, the Corrieyairack Pass and Garva Bridge.

1.3.3 We have concluded that there would be a number of significant adverse impacts on landscape character and visual amenity in this stretch of the proposed line, as detailed in Chapter 1.

Alternative routeing proposals

1.3.23 We have already concluded that the proposed route between the Balblair substation and Garva Bridge would not have an unacceptable impact on the landscape character or visual amenity of the areas through which it would pass. We have also concluded that the impact on tourism would largely depend on the landscape and visual impact of the proposed line, and that the proposed overhead line in this area would not have a tangible impact on film production or spin-off tourism.

1.3.24 There is no agreement among objectors as to the preferred route for an overhead line or for undergrounding. We have concluded that there are compelling ecological, nature conservation, landscape character and visual impact reasons to oppose the Loch ma Stac alternative route, and we would not support the alternative route south of Carn Bingally because of possible impact on the RSPB reserve at Corrimony.

1.3.25 Undergrounding of the route from Beauly to Eskadale would reduce the impact of the line on landscape character and visual amenity, forestry and birds (collision risk), and on the setting of cultural heritage and archaeological features; though it would increase the impact on geology, soils, hydrology and unknown archaeological features. Although undergrounding would avoid any loss of bird habitat in Ruttle Wood, we have concluded that the best of the objectors' alternatives would offer a relatively modest benefit to ecology and nature conservation in comparison to the applicants' proposal.

1.3.26 Although a technically feasible route for undergrounding has been identified in the Beauly-Eskadale area, the cost of the project would increase by £51.3m for a 4.3km section of undergrounding or £90.3m for a 7.9km section. The cost would be reduced to about £30.7m for a 4.3km section or £54.1m for a 7.9km section, if the cable rating was one cable/phase. Based on the advice of the Technical Assessor, we accept that none of the four routeing options considered for the Beauly-Eskadale section of the line would be likely to adversely affect the economics of the overall proposal, although we would question whether they are compatible with the applicants' duties to develop and maintain an efficient electricity transmission system.

1.3.27 Having regard to all of the foregoing and taking into account our recommended conditions and the applicants' proposal to underground sections of the existing 132kV lines in the vicinity of Balblair substation, to which we attach considerable weight, we conclude that the case for alternative routeing and/or undergrounding in the Beauly-Eskadale area has not been justified.

SUMMARY OF CONCLUSIONS: VOLUME 3 (CAIRNGORMS NATIONAL PARK)

Landscape and visual impacts

1.4.1 The proposed overhead line would pass through a section of the Cairngorms National Park, which was designated for a range of attributes including landscape.

However, this section of the route would not traverse any area with a specific landscape designation, such as a national scenic area.

1.4.2 Scottish Natural Heritage does not object to the principle of the overhead line crossing the fringe of the national park, and does not recommend an alternative route to the west of the park. The main parties agree that the proposed route is the least damaging one for an overhead line through the national park, and that alternative routes through Speyside or Strath Mashie would be unacceptable for an overhead line. Nonetheless, we have concluded that the proposed route would have significant adverse impacts on landscape character and visual amenity, as detailed in Chapter 1. Indeed, we identify major adverse impacts on landscape character in the Pattack Valley and, albeit mainly localised, major adverse impacts on visual amenity in several locations including the Pattack Valley and Cathar Mor.

1.4.3 The route through the national park has been determined having taken account of a range of considerations, of which landscape character and visual impact were not always the primary factors. However, the weight which the applicants have attached to the national park designation is not clear in the assessments of landscape and visual impact. In certain instances we have concluded that the impacts would be more severe than assessed by the applicants, having regard to the importance of the national park designation.

1.4.4 Despite the adverse impacts on landscape character and visual amenity, we have concluded that in these respects the proposal would not compromise the wider objectives of designation and the overall integrity of the national park. We also conclude that the proposed route between Garva Bridge and the Drumochter Pass would not be unacceptable in terms of landscape character or visual impact.

Ecology and nature conservation

1.4.5 There is a diverse range of habitats and plants and protected animal species in this part of the national park, and a number of protected bird species. Whilst the proposed overhead line would not impact on the unique habitats of the Cairngorms plateau or the Caledonian pine forests, it would affect internationally protected nature conservation sites in upper Speyside (River Spey SAC) and the Drumochter Hills (SAC and SPA), and other sites of national, regional or local significance as described in Chapter 2.

1.4.6 Overall, we conclude that the proposal would not have a significant impact on habitats and plants, protected animal species and birds (with the limited exceptions noted in Chapter 2), providing the mitigation measures set out in Chapter 11 are carried out. We are satisfied that the proposed development would not adversely affect the integrity of any Natura sites in the national park, again subject to the safeguards outlined in Chapter 11. Consequently, we conclude that the overhead line proposal would not damage or erode the "special qualities" of the national park which relate to ecology and nature conservation.

Forestry, agriculture and sporting interests

1.4.7 The woodland within the national park which would be affected by the proposed line is 99% commercial conifer, and there would only be a small impact on native woodlands. Forestry Commission Scotland has approved the use of the applicants' forest design concept at Feagour Forest, which serves as a template for the development of the concept elsewhere within the proposed route corridor.

1.4.8 There would be some temporary disruption to agricultural and sporting activities during construction of the proposed 400kV line and dismantling of the existing 132kV line, and there might be more permanent effects on shooting close to the proposed line. However, the proposal would not adversely affect the low-ground fertile agricultural land considered to be one of the special qualities of the national park.

Tourism and recreation

1.4.9 Employment in tourism is more important in the Highlands, and especially the Badenoch and Strathspey area, than Scotland as a whole, and any proposal which might affect the continuing success of the tourism economy of the area must be rigorously examined. We have no doubt that beautiful scenery and the associated recreational activities are the main magnets which draw visitors to the national park. There is an extensive footpath network in the area, which is popular for walking, cycling, mountain biking, horse riding, white water kayaking, angling and other field sports. The Wolftrax off-road cycling complex is a major attraction, which creates jobs and generates income for the local economy.

1.4.10 We consider that the proposed overhead line would impair the enjoyment of a limited number of recreational routes in the national park, but it is not clear whether recreational use would decline as a result. We would expect little impact on cycle routes at Wolftrax.

1.4.11 We are unable to draw firm conclusions from the applicants' business survey for the reasons given in Chapter 4, though the survey for the national park authority indicates the high degree of concern about the proposal on the part of the local business community. As explained in Chapter 16 of Volume 1 of this report, we cannot verify the applicants' estimate of a maximum of 5% impact in the national park area; nor do we consider that we can draw conclusions on the likely effects on the Cairngorms National Park from the applicants' post-development study in Ayrshire. However, even if the high levels of impact anticipated in the national park authority's survey (which we consider are not supported by the evidence) were to occur, we would expect them to be very localised, and most of the lost trade might well be diverted to businesses in other parts of the national park. Nonetheless, we would support the idea of set aside funding for additional marketing, to try to offset any such effect on local businesses.

1.4.12 There is no evidence that tourists would be dissuaded from visiting key visitor attractions in the Laggan/ Dalwhinnie area or elsewhere in the national park, and we would not expect the section of the new line within the A9 corridor to deter tourists or visitors from visiting the national park. We acknowledge the benefits to the local

economy of film and television productions (including commercials), but for the reasons set out in Chapter 4 we are not persuaded that the proposal would affect investment in film production in the national park, or the associated tourism.

Archaeology and cultural heritage

1.4.13 There are comparatively few recorded remains in this part of the survey corridor. There would be no major adverse direct effects on known archaeological and cultural heritage sites, but there would be a major adverse effect on the setting of Garvamore Barracks and a moderate adverse effect on Ardverikie Gate Lodge. The dismantling of the existing 132kV line would have beneficial effects on the setting of sites in the Spey Valley and Glen Truim.

1.4.14 We consider that the key decision to route the line through Glen Shirra is clearly warranted by the need to protect the setting of the exceptional hillfort at Dun da Lamh in accordance with the wishes of Historic Scotland, even though we acknowledge that there would be adverse impacts on certain other cultural heritage sites as a consequence of that decision.

Construction issues

1.4.15 We accept in principle the applicants' proposals for access to construct the proposed 400kV line and dismantle the existing 132kV line in the national park, recognising that assessing the impact of the proposal on roads and devising solutions is an iterative process requiring ongoing discussions. We have already found that the interests of those with private water supplies would be adequately protected by measures to be set out in the Construction Procedures Handbook and in a condition of any consent granted.

Alternative routeing proposals

1.4.16 Scottish Natural Heritage presented two route options to the inquiry for consideration. In general, we recognise that undergrounding the line would bring significant benefits to landscape character and visual amenity, and would better fulfil the aims and objectives of the national park. However, those benefits must be balanced against the impacts on natural and semi-natural habitats, and the potential impact on the River Spey SAC.

1.4.17 We have already concluded that the proposed overhead line between Garva Bridge and the Drumochter Pass would not have an unacceptable impact on landscape character or visual amenity. SNH accepts that the proposed overhead line could be constructed without adversely affecting the integrity of the SAC, whereas we have concluded that any alternatives involving underground crossings of the River Spey and its tributaries would be likely to compromise the conservation objectives of the SAC and threaten its integrity.

1.4.18 It is estimated that the cost of the project would increase by £109m for undergrounding the 8.1km Strath Mashie section of the alternative route, and either £92.6m or £78.4m for the Dalwhinnie section, depending on the location of the sealing end compound. If it was designed with one cable per phase the cost would

be reduced to around £65.4m for the Strath Mashie section, and either £55.5m or £47m for the Dalwhinnie section. Based on the advice of the Technical Assessor, we accept that either the Strath Mashie section or the Dalwhinnie section, but not both, could be undergrounded at one cable per phase without adversely affecting the economics of the overall Beauly-Denny proposal. However, we would question whether that would be compatible with the applicants' duties to develop and maintain an efficient electricity transmission system.

1.4.19 We conclude that the potential to compromise the conservation objectives of the SAC and its integrity is sufficient ground to discount the alternative undergrounding options, and that the case for the objectors' alternatives in the national park has not been justified. However, we consider that the removal of sections of existing 132kV steel tower circuits as detailed in Chapter 11 would deliver significant benefits for the national park by reducing the landscape and visual impacts caused by overhead lines, and would provide mitigation to offset the effects of the proposed 400kV line. We attach considerable weight to the proposals which we have recommended should be made a condition of any consent.

Development plan and other relevant planning policies

1.4.20 As indicated in Chapter 9 of Volume 2 of the report, with the possible exception of policy U1 of the Highland Structure Plan, there are no development plan policies which appear to envisage this type of development. Assuming that policy U1 was intended to address electricity transmission, as well as distribution, proposals, the policy would be strongly supportive of the proposal in principle. We consider that structure plan policies E1, E2 and E4, which endorse the utilisation of the region's distributed energy resource, lend significant indirect support to the proposal. The Highland Council's non-statutory renewable energy strategy (which encompasses this area) recognises the need for grid reinforcement, although the national park authority does not endorse the document.

1.4.21 We find that the section of the proposed overhead line through the national park is consistent with some elements, but not others, of structure plan policies G1 and G2, and generally complies with policies G3, F3, F5, BC1 and BC5. We do not consider that policy G4 is relevant, or that there is sufficient uncertainty to warrant invoking the precautionary principle in this case (policy G8). However, for the reasons given in Chapter 10 of this volume we consider that the proposal is in conflict with the terms of policies G6, T6, L4 and N1.

1.4.22 The Badenoch and Strathspey Local Plan is over 10 years old, but it remains part of the statutory development plan. We see no conflict with policy 2.4.16, but the section of the proposed line within the national park would not conform with the terms of policies 2.5.2, 2.5.4, 2.5.5, 2.5.10 and 2.5.13.

1.4.23 The Cairngorms National Park Plan, which has recently been approved by Scottish Ministers, is an important material consideration, though it is not intended as a development management document. We consider that the proposal is generally compatible with the 25 year outcomes which are set out in the National Park Plan, but that it would not satisfy all of the strategic outcomes of the plan.

1.4.24 The National Park Local Plan has yet to be tested at a development plan inquiry, but unlike the National Park Plan it sets out to provide a policy framework for development management. We address compliance with its draft policies in Chapter 10 of this volume.

1.4.25 The key national planning policy test is set out in paragraph 25 of NPPG14. As explained in Chapter 10, we consider that the proposal conflicts with the first aim of the national park to an extent, and is not supported by the third and fourth aims, but gains some limited support from the second aim. We conclude that (bearing in mind the benefits of removing the existing 132kV line, and the proposals for mitigation) the impacts on the natural and cultural heritage of the area would not be so severe as to compromise any of the four aims of national parks. Moreover, for the reasons set out in Chapter 10 of this volume we do not consider that the proposal would compromise the integrity of the national park as a whole.

1.4.26 We therefore conclude that the project meets the first part of the test in paragraph 25 of NPPG14, but in any case we are satisfied that the adverse effects within the national park would be outweighed by the national benefits associated with the proposal which are discussed in Volume 1 of the report.

SUMMARY OF CONCLUSIONS: VOLUME 4 (PERTH AND KINROSS COUNCIL AREA)

Landscape and visual impacts

1.5.1 We acknowledge that the route within the Perth and Kinross Council area (and elsewhere) has been determined having taken account of a range of considerations, of which landscape character and visual impact were not always the primary factors. We also accept that constraints severely restrict the route options at five pinch points in the Perth and Kinross section of the line: Tummel Bridge to Loch Kinardochy; the Appin of Dull; Glenalmond; the crossing point of the A85; and Strathearn/Muthill.

1.5.2 We conclude in Chapter 1 of this volume that there would be no detrimental effect on the integrity of the nearby national scenic areas (Loch Rannoch and Glen Lyon, and Loch Tummel). We also conclude that there would not be a significant impact on historic gardens and designed landscapes in the vicinity of the line, with the possible exception of the undesignated one at Culdees Castle where there could be a moderate impact.

1.5.3 Overall, we have concluded that this section of the proposed route would have significant adverse impacts on landscape character and visual impact, as detailed in Chapter 1. As part of our review of this section of the line we have considered the impact of the line on views of Schiehallion, which is regarded as an iconic mountain, and have concluded that there would be, at worst, minor adverse effects on visual amenity.

1.5.4 We have also assessed the impact of the proposed overhead line on Auchilhanzie House, and have concluded that because it would have a major adverse effect on the visual amenity of the house and a major detrimental effect on the setting of this category B listed building, approval should be withheld for the short