

17th August 2026**Our Reference**
60570241

Mr James McKenzie

Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU**Balliemanoach Pumped Storage Hydro Section 36 Application - Further Environmental Information**

To Whom it May Concern,

On behalf of ILI Pumped Storage Hydro P.L.C, hereafter referred to as 'The Applicant', AECOM are pleased to provide this letter detailing additional work undertaken to support the Section 36 Application for the proposed scheme, Balliemanoach PSH, hereafter referred to as 'The Scheme'. This submission has been prepared in response to matters raised during the Environmental Impact Assessment (EIA) process and subsequent consultation held with the Energy Consents Unit (ECU). The additional information comprises of two key documents: (i) supplementary peat probing surveys undertaken; and (ii) a technical response to the ECU addressing the implications of the Raeshaw Farms judgment and its relevance to the assessment and determination of The Scheme. The purpose of this submission is to provide further clarification and supporting evidence to inform the ongoing consideration of the Section 36 Application.

1. Additional Peat Survey

Following a request from the ECU and their technical advisors, Ironside Farrar, AECOM undertook additional peat probing work on the proposed site to further validate initial findings.

Additional Phase II peat probing was undertaken in December 2025, following submission of the Preliminary Peat Land Hazard Risk Assessment (PLHRA) to the ECU. Through consultation with the ECU, it was agreed that additional peat probing was required to further support and validate the Preliminary PLHRA. This additional work was undertaken with reference to the principles set out in PLHRA: BPG (Scottish Government, 2017) and Guidance on Developments on Peatland – Peatland Survey (Scottish Government et al, 2017), while recognising the limitations of their direct applicability to The Scheme.

The probing methodology adopted for Phase II was designed to align with the intent of the published guidance, while adapting the methodology to suit The Scheme, as agreed with the ECU and Ironside Farrar. The refined, targeted probing approach applies proportional survey density, as follows:

- Proposed Access Tracks: Probed along the track centreline at 50 m intervals with 10 m perpendicular offsets.
- Temporary and Permanent Compounds: Probed on a 25 m x 25 m grid, with 10m offsets around the compound extents.
- Embankments: Probed across the Embankment footprints on a 25 m x 25 m grid.
- Borrow Pit and Inlet / Outlet Trench: Probed on a 25 m x 25 m grid.
- Headpond: Where no peat excavation is proposed, probed on a 50 m x 50 m grid.

This approach ensures the retrieval of sufficient peat depth data, considering the scale and specifics of The Scheme.

In total, an additional 1,625 probes were taken, with the majority of probes having peat depths less than 1.0 m depth (72%). The deepest peat measured was 9.23 m deep. Further details on peat depths recorded can be found within Section 1.1 below.

¹<https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00003444&T=15>

1.1 Peatland Surveys Summary

In total, 2,437 peat probes were taken during the three Peatland Surveys undertaken in August 2021, September 2023, December 2025. The results from the surveys are listed below and shown graphically in Figure 1 and Figure 2.

- 266 probes recorded a depth of peat 0 m (11%)
- 842 probes recorded a depth of peat > 0 m and up to 0.5 m (35%)
- 574 probes recorded a depth of peat > 0.5 m and up to 1.0 m (24%)
- 257 probes recorded a depth of peat > 1.0 m and up to 1.5 m (11%)
- 204 probes recorded a depth of peat > 1.5 m and up to 2.0 m (8%)
- 191 probes recorded a depth of peat > 2.0 m and up to 3.0 m (8%)
- The last 4% of the site has depths of peat ranging from 3.0 m and up to 9.23 m, which equates to 103 locations of very deep peat, mostly located on the outer eastern edges of the survey extents, and outwith the key working areas and is therefore unlikely to be directly impacted.

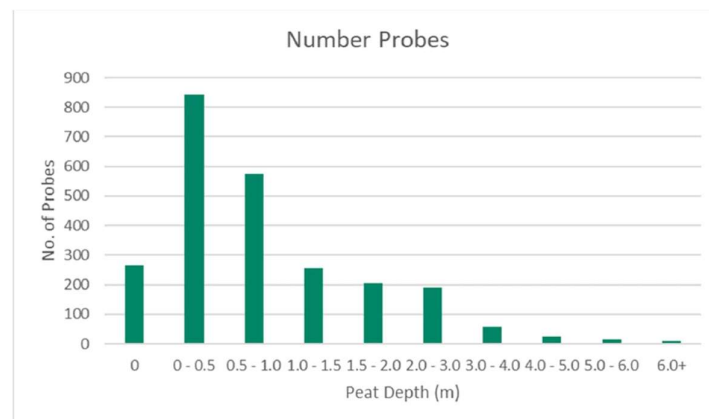


Figure 1 - Peat Probing Distribution (by range)

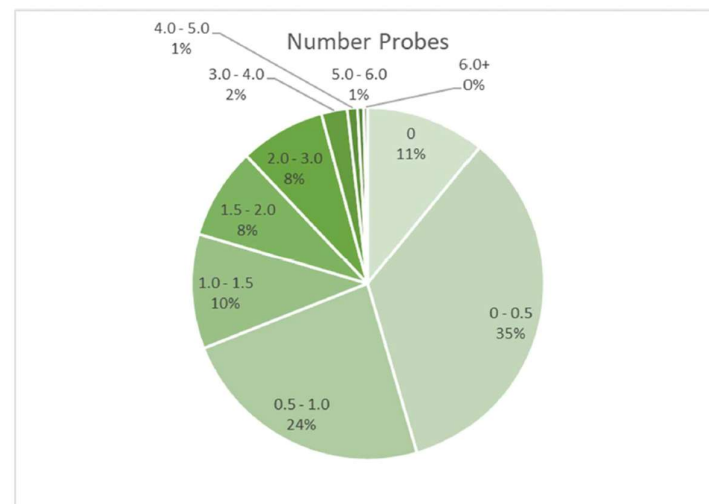


Figure 2 - Peat Probing Distribution (by percentage)

The results of the surveys were used to create a figure of the varying depths of the peat surface across The Scheme – shown in Appendix A. With the full results of the Peatland Surveys shown in Appendix B.

1.2 Additional Probing Summary

The additional probing undertaken in December 2025 followed the approach detailed within the Preliminary Peat Landslide Hazard and Risk Assessment (PLHRA) submitted as part of the FEI in June 2025. The Balliemanoach PSH EIAR submitted in July 2024, in combination with the PLHRA, set out the assessment of impacts on peat and the likelihood of peat landslides hazard and mitigation measures. The results of this additional peat probing do not alter the assessment of effects reported within the EIAR with residual effects on peat remaining minor adverse and not significant.

2. ECU Queries and Applicant Responses Following Raeshaw Farm Judgement

Following the recent Court of Session ruling in Raeshaw Farms Ltd v Scottish Ministers [2026] (CS1H 10), the Applicant was invited to give their response to questions raised about that judgment's relevance to the current application. The full list of the ECU's questions and the Applicant's answers is included in the appendix for reasons of completeness and transparency.

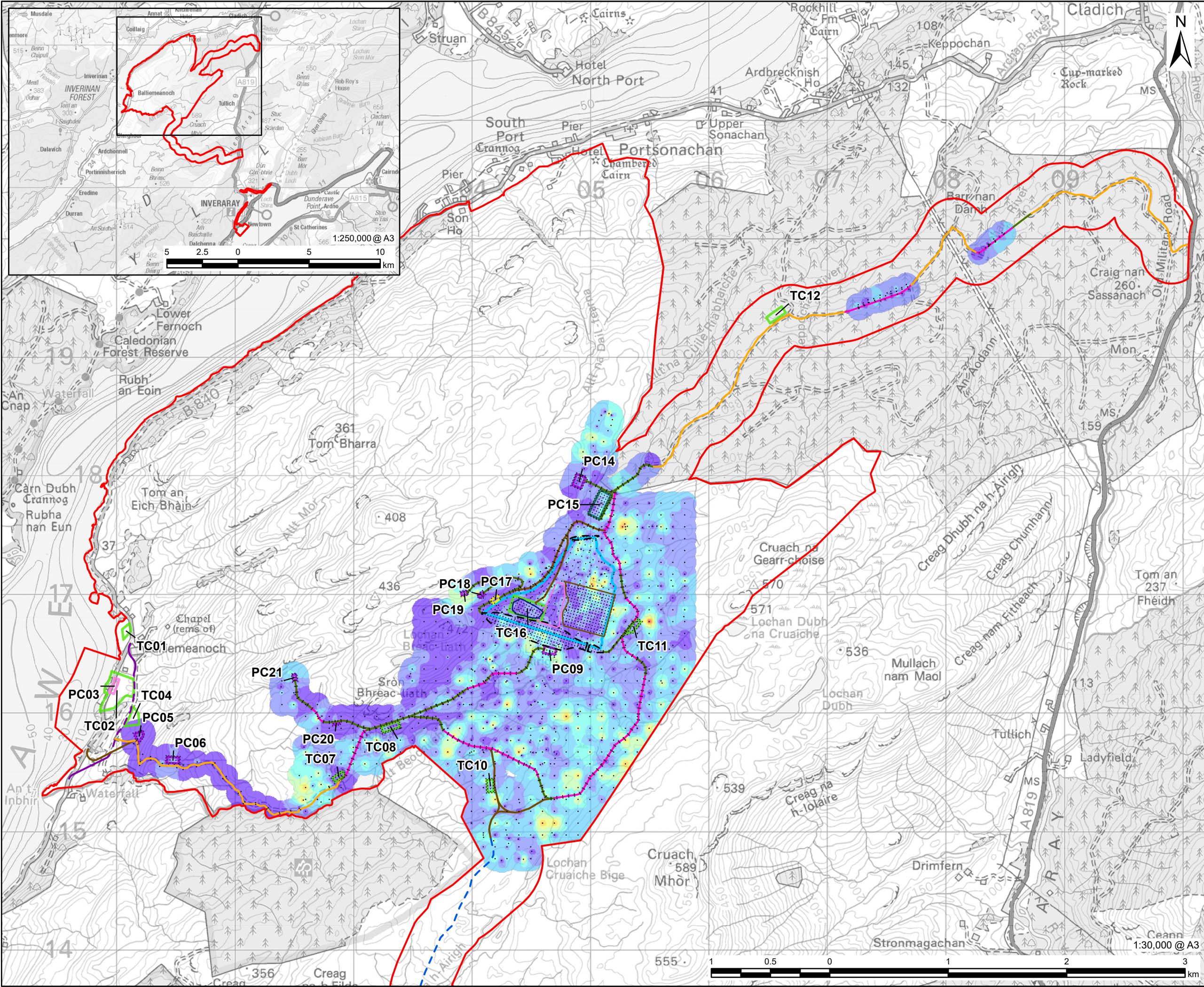
I trust the information detailed above is clear and provides sufficient information for your review. If there are any queries regarding the above, please reach out accordingly.

Yours sincerely,



Aaron Cleghorn
Senior Civil Engineer
AECOM Limited
M: 07425646407
E: aaron.cleghorn@aecom.com

Appendix A – Figure 10.3.9 Peat Depth Interpolation Plan



PROJECT

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Edinburgh
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LEGEND

- Development Boundary
- Headpond
- Headpond Embankments
- Peat Probe Location - Total number of peat probes taken from all surveys to date
 - Phase 1
 - Phase 2
- Above Ground Infrastructure
 - B840 Diversion - Permanent, New, Excavated
 - B840 Diversion - Permanent, Upgrade, Excavated
 - Access Track - Temporary, New, Excavated
 - Access Track - Permanent, New, Excavated
 - Access Track - Permanent, New, Floating
 - Access Track - Permanent, Upgrade, Excavated
 - Proposed Blarghour wind farm access track
 - Upper Control Works
 - Basin
 - Borrow Area
 - Switching Station
 - Permanent Construction Compound
 - Temporary Construction Compound
 - Upper Gate House
 - Lower Gate House
- Peat Depth Interpolation (m)
 - 0.00 - 0.50
 - 0.51 - 1.00
 - 1.01 - 1.50
 - 1.51 - 2.00
 - 2.01 - 3.00
 - 3.01 - 4.00
 - 4.01 - 5.00
 - 5.01 - 6.00
 - 6.01 +

NOTES

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Ordnance Survey Licence AC0000808122.
The peat depths are based on an interpolated peat surface, based on individual peat probes taken across the site. The results are indicative only and should not be relied upon for detailed design or construction. Peat Interpolation method used: Inverse Distance Weighting.
Below ground infrastructure not assessed as justified within Section 1 of the PLHRA Report.

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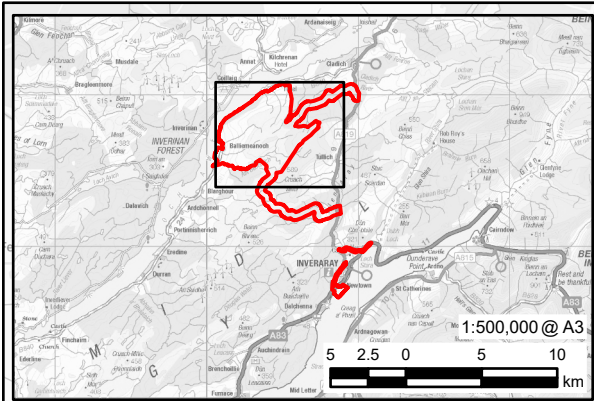
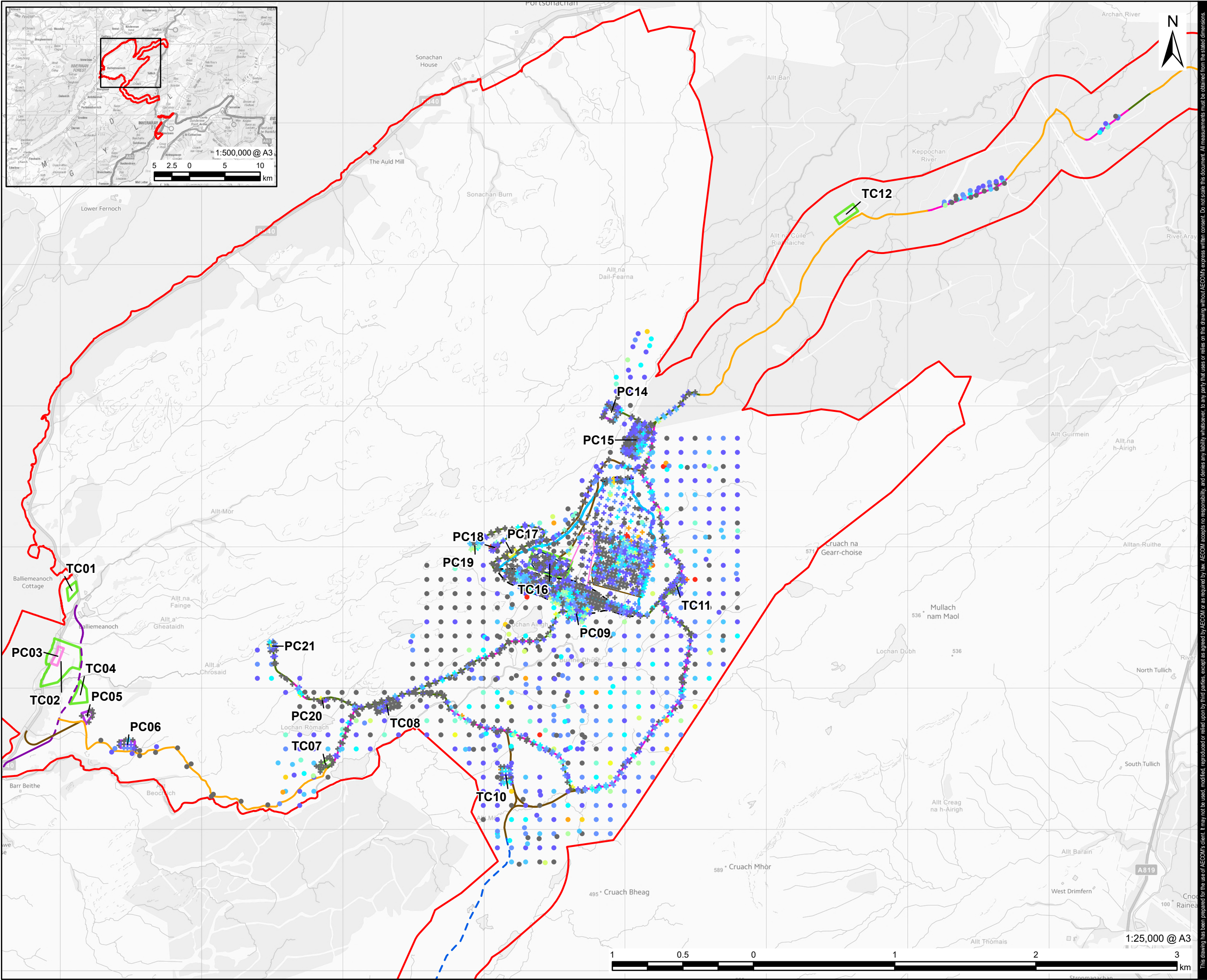
FIGURE TITLE

Peat Depth Interpolation Plan

FIGURE NUMBER

Figure 10.3.9

Appendix B – Figure 10.3.8 Peat Probing Survey Results



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LEGEND

- Development Boundary
- Headpond
- Headpond Embankments
- Above Ground Infrastructure**
 - B840 Diversion - Permanent, New, Excavated
 - B840 Diversion - Permanent, Upgrade, Excavated
 - Access Track - Temporary, New, Excavated
 - Access Track - Permanent, New, Excavated
 - Access Track - Permanent, New, Floating
 - Access Track - Permanent, Upgrade, Excavated
 - Proposed Blarghour wind farm access track
 - Upper Control Works
 - Basin
 - Borrow Area
 - Switching Station
 - Permanent Construction Compound
 - Temporary Construction Compound
 - Upper Gate House
 - Lower Gate House
- Peat Probe Depth (m)**
 - Phase 1
 - Phase 2
 - <0.50
 - 0.51 - 1.00
 - 1.01 - 1.50
 - 1.51 - 2.00
 - 2.01 - 2.50
 - 2.51 - 3.00
 - 3.01 - 3.50
 - 3.51 - 4.00
 - 4.01 - 4.50
 - 4.51 - 5.00
 - 5.01 - 5.50
 - 5.51 - 6.00
 - >6.01

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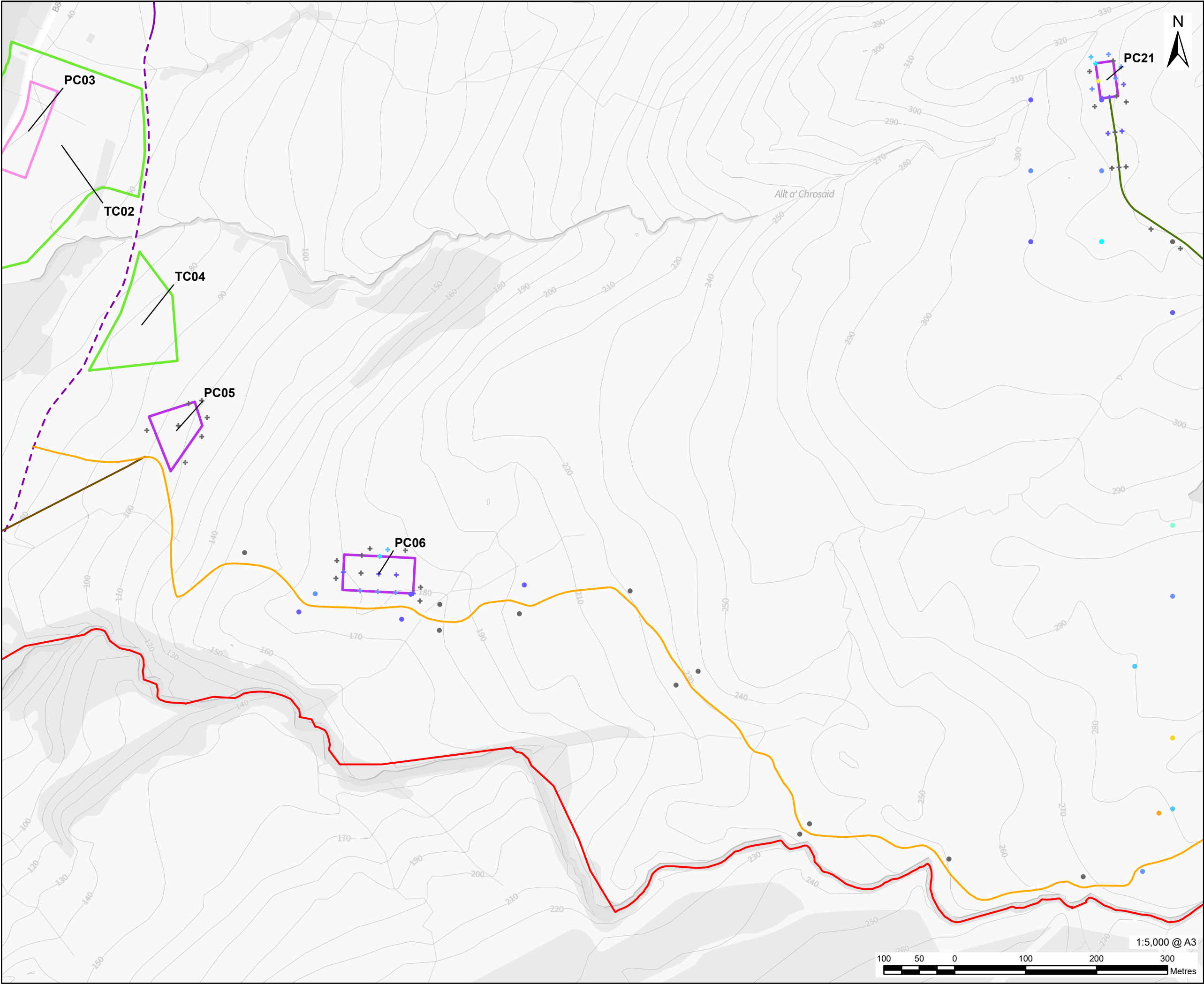
FIGURE TITLE

Peat Probe Survey Results

FIGURE NUMBER

Figure 10.3.8

Sheet 1 of 9



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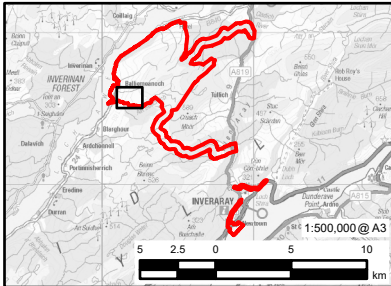
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LEGEND

- Development Boundary
- Above Ground Infrastructure**
 - B840 Diversion - Permanent, New, Excavated
 - B840 Diversion - Permanent, Upgrade, Excavated
 - Access Track - Temporary, New, Excavated
 - Access Track - Permanent, New, Excavated
 - Access Track - Permanent, Upgrade, Excavated
 - Permanent Construction Compound
 - Temporary Construction Compound
 - Lower Gate House

Peat Probe Depth (m)

- Phase 1
- Phase 2
- <0.50
- 0.51 - 1.00
- 1.01 - 1.50
- 1.51 - 2.00
- 2.01 - 2.50
- 2.51 - 3.00
- 3.01 - 3.50
- 3.51 - 4.00
- 4.01 - 4.50
- 4.51 - 5.00
- 5.01 - 5.50
- 5.51 - 6.00
- >6.01



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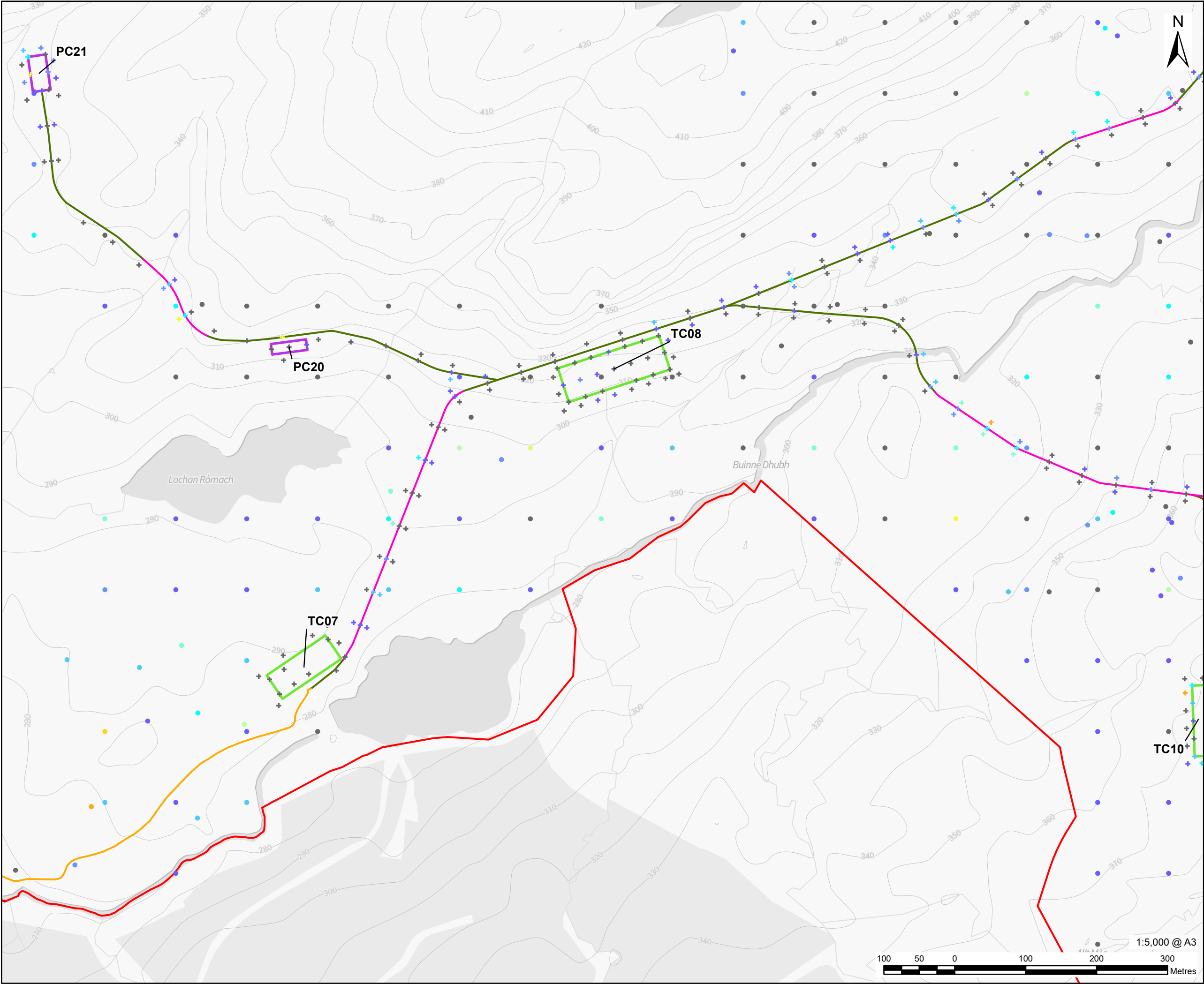
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Peat Probe Survey Results

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Figure 10.3.8

Sheet 2 of 9



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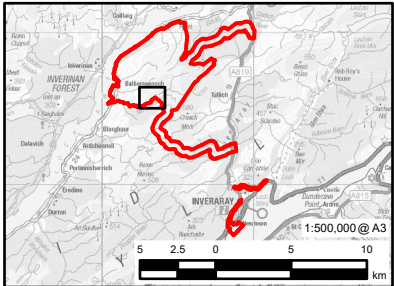
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LEGEND

- Development Boundary
- Above Ground Infrastructure**
 - Access Track - Temporary, New, Excavated
 - Access Track - Permanent, New, Excavated
 - Access Track - Permanent, New, Floating
 - Access Track - Permanent, Upgrade, Excavated
 - Permanent Construction Compound
 - Temporary Construction Compound
- Peat Probe Depth (m)**
 - Phase 1
 - Phase 2
 - <0.50
 - 0.51 - 1.00
 - 1.01 - 1.50
 - 1.51 - 2.00
 - 2.01 - 2.50
 - 2.51 - 3.00
 - 3.01 - 3.50
 - 3.51 - 4.00
 - 4.01 - 4.50
 - 4.51 - 5.00
 - 5.01 - 5.50
 - 5.51 - 6.00
 - >6.01



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FIGURE TITLE

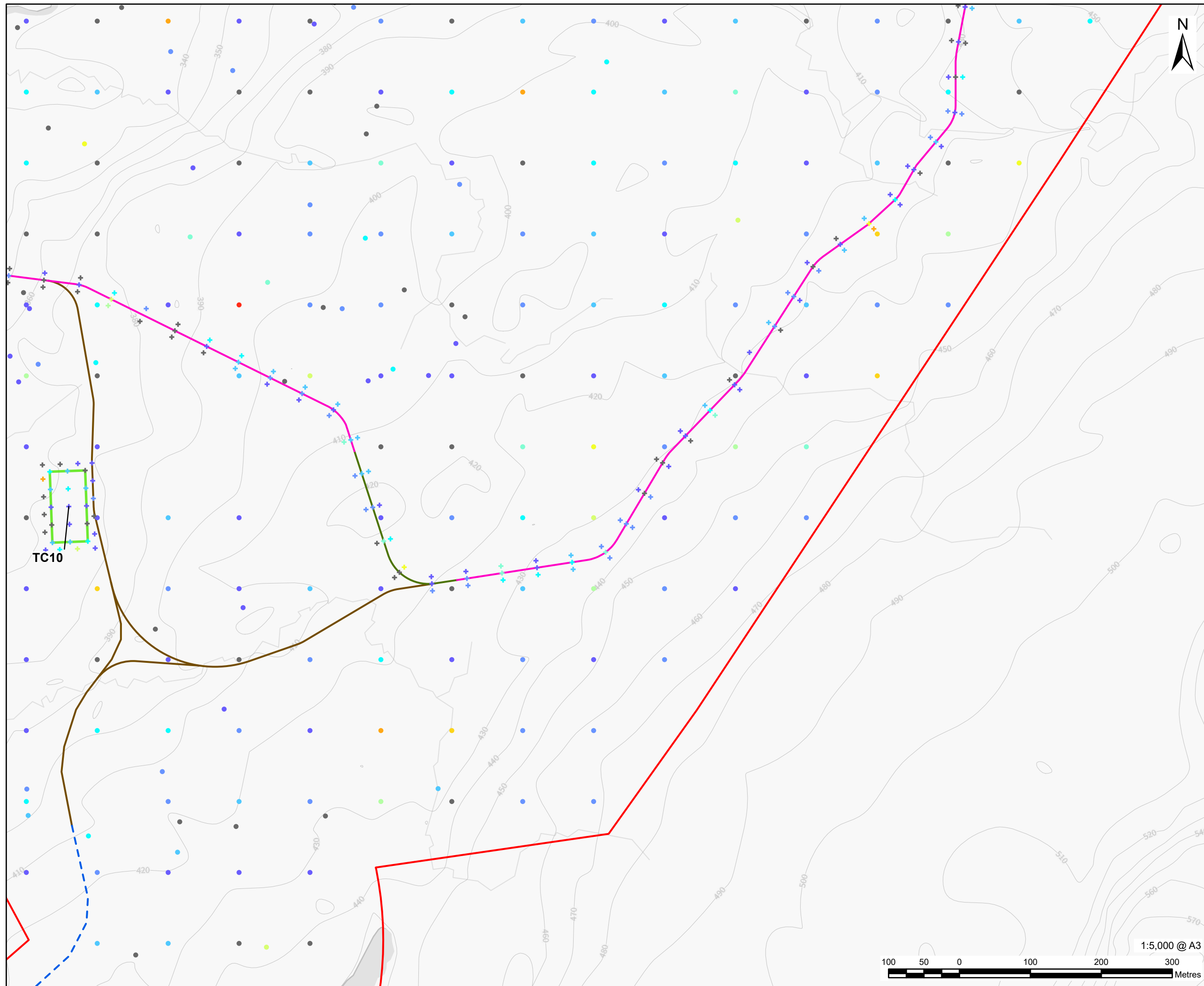
Peat Probe Survey Results

FIGURE NUMBER

Figure 10.3.8

Sheet 3 of 9

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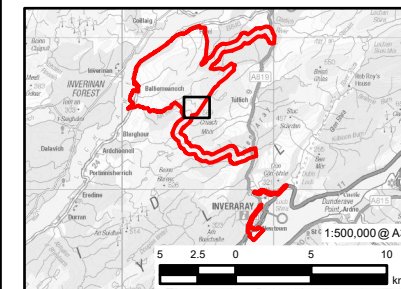
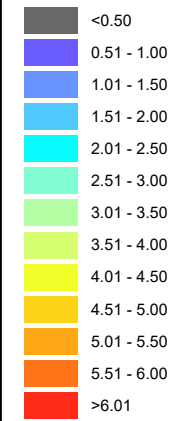
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 Development Boundary

Above Ground Infrastructure

- Access Track - Temporary, New, Excavated
- Access Track - Permanent, New, Excavated
- Access Track - Permanent, New, Floating
- Proposed Blarghouth wind farm access track
- Temporary Construction Compound

+ Phase 2



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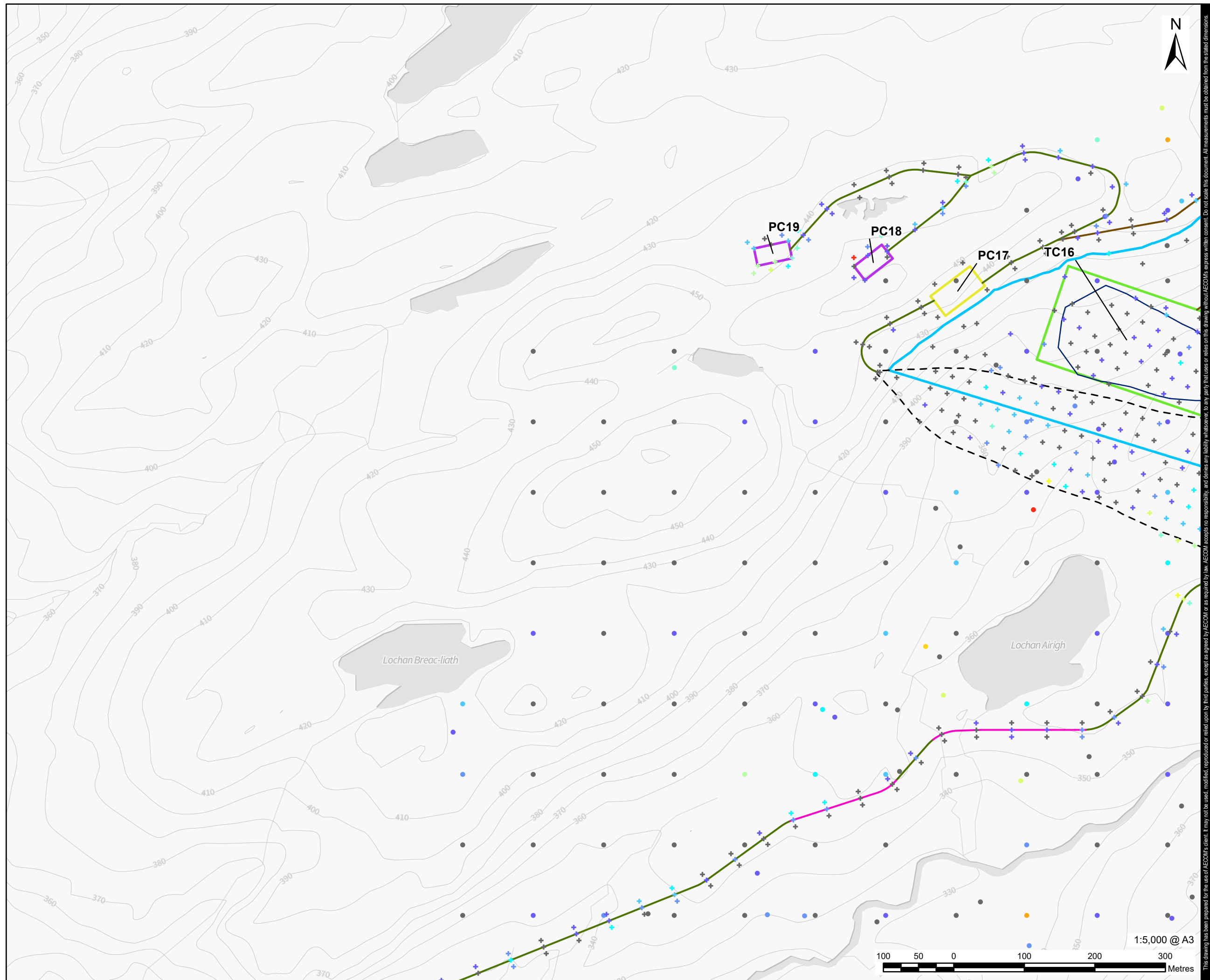
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FIGURE TITLE

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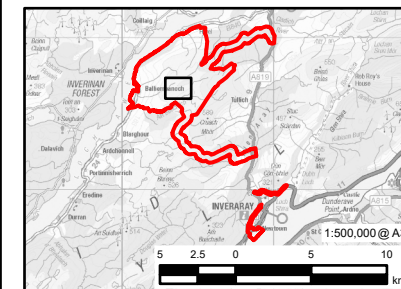
LEGEND

	Development Boundary
	Headpond
	Headpond Embankments
Above Ground Infrastructure	
	Access Track - Temporary, New, Excavated
	Access Track - Permanent, New, Excavated
	Access Track - Permanent, New, Floating
	Upper Control Works
	Permanent Construction Compound
	Temporary Construction Compound
	Upper Gate House

Peat Probe Depth (m)

- Phase 1
- ✚ Phase 2

	<0.50
	0.51 - 1.00
	1.01 - 1.50
	1.51 - 2.00
	2.01 - 2.50
	2.51 - 3.00
	3.01 - 3.50
	3.51 - 4.00
	4.01 - 4.50
	4.51 - 5.00
	5.01 - 5.50
	5.51 - 6.00
	>6.01



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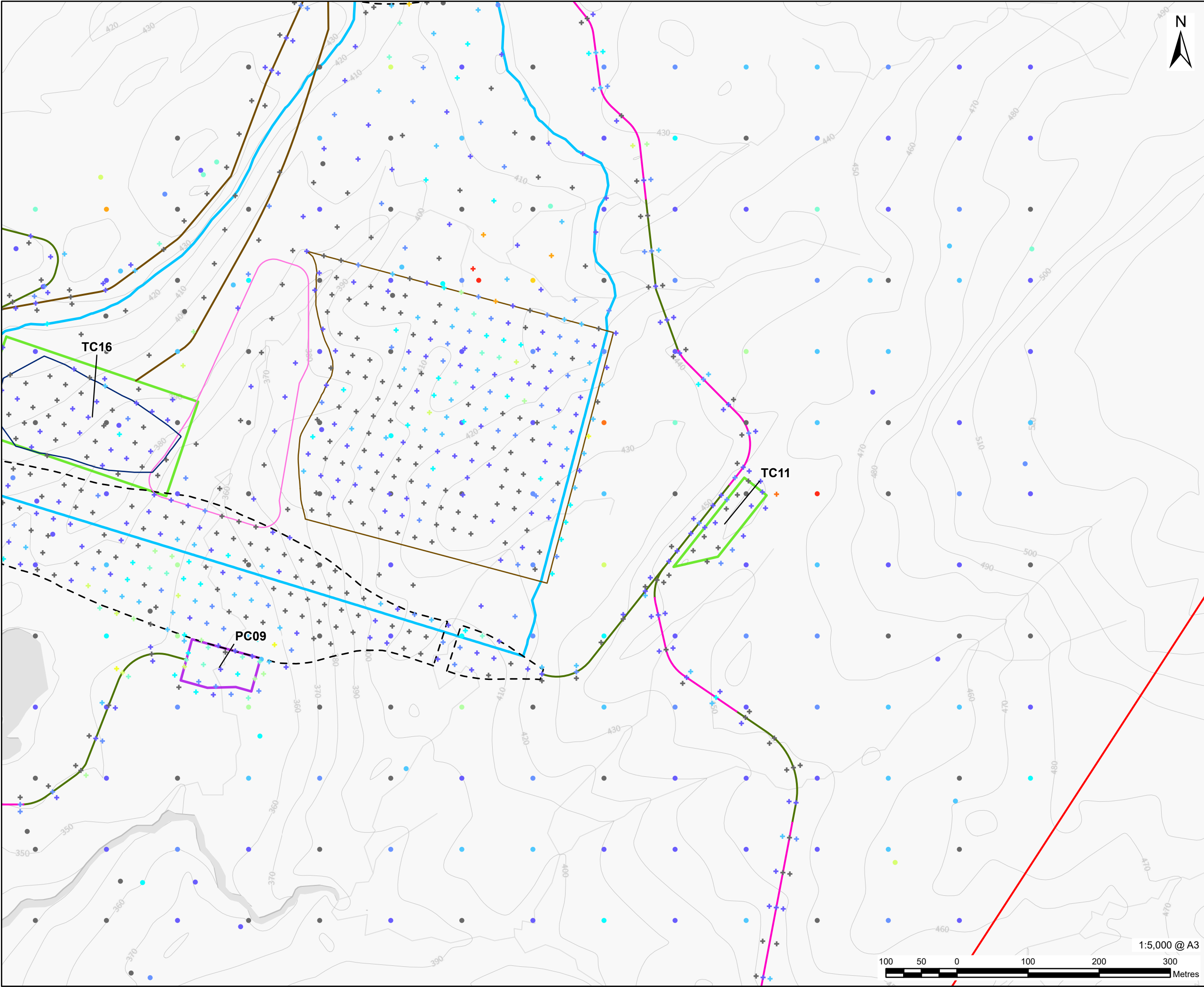
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FIGURE TITLE

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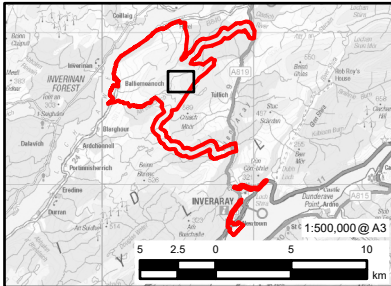
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LEGEND

- Development Boundary
- Headpond
- Headpond Embankments
- Above Ground Infrastructure**
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 - Access Track - Permanent, New, Excavated
 - Access Track - Permanent, New, Floating
 - Upper Control Works
 - Basin
 - Borrow Area
 - Permanent Construction Compound
 - Temporary Construction Compound

Peat Probe Depth (m)

- Phase 1
- Phase 2
- <0.50
- 0.51 - 1.00
- 1.01 - 1.50
- 1.51 - 2.00
- 2.01 - 2.50
- 2.51 - 3.00
- 3.01 - 3.50
- 3.51 - 4.00
- 4.01 - 4.50
- 4.51 - 5.00
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- 5.51 - 6.00
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FIGURE TITLE

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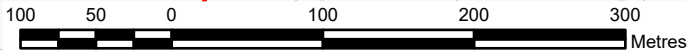
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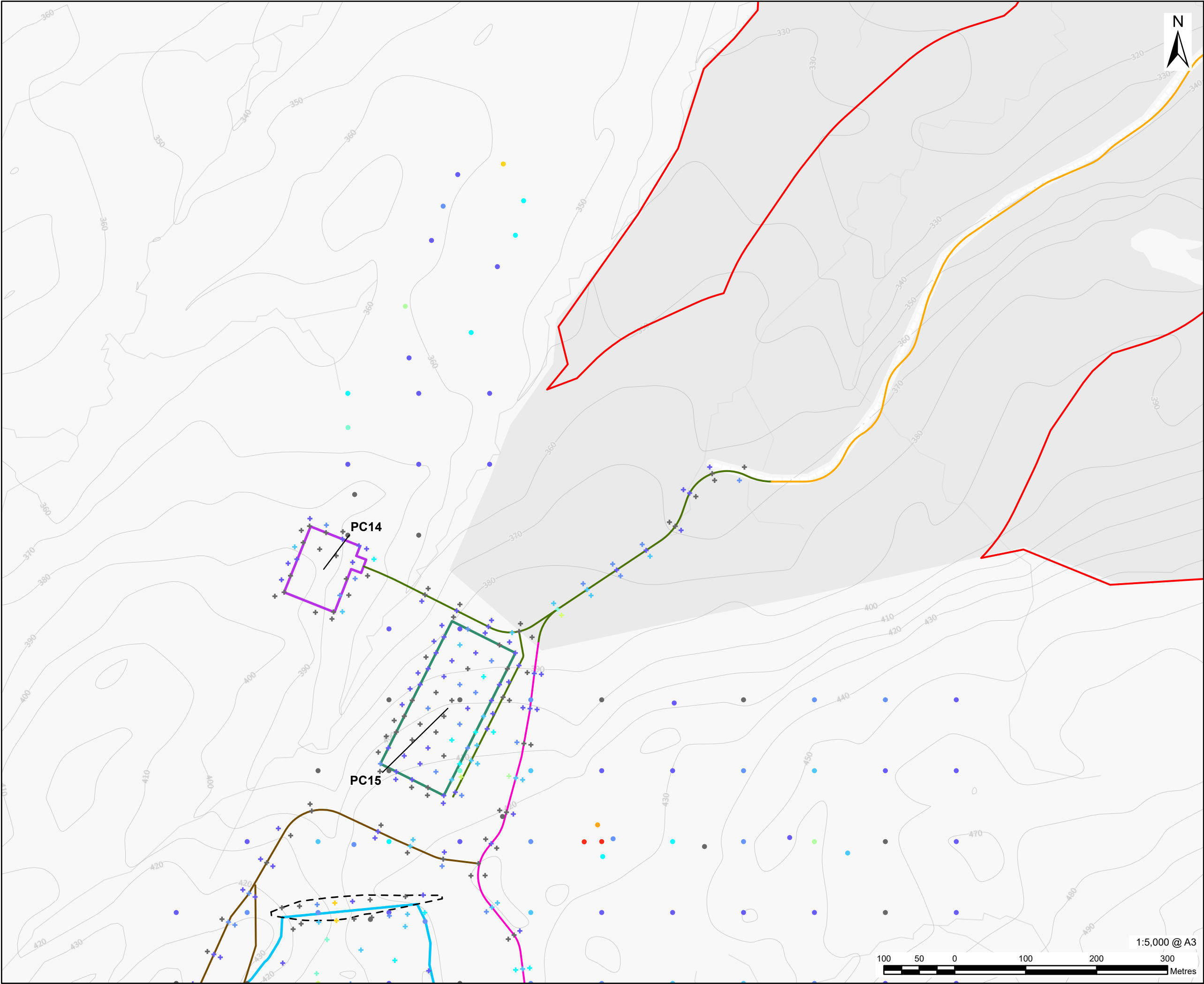
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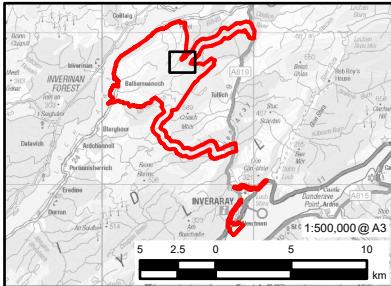
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LEGEND

- Development Boundary
- Headpond
- Headpond Embankments
- Above Ground Infrastructure**
 - Access Track - Temporary, New, Excavated
 - Access Track - Permanent, New, Excavated
 - Access Track - Permanent, New, Floating
 - Access Track - Permanent, Upgrade, Excavated
 - Switching Station
 - Permanent Construction Compound
- Peat Probe Depth (m)**
 - Phase 1
 - Phase 2
 - <0.50
 - 0.51 - 1.00
 - 1.01 - 1.50
 - 1.51 - 2.00
 - 2.01 - 2.50
 - 2.51 - 3.00
 - 3.01 - 3.50
 - 3.51 - 4.00
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 - 5.51 - 6.00
 - >6.01



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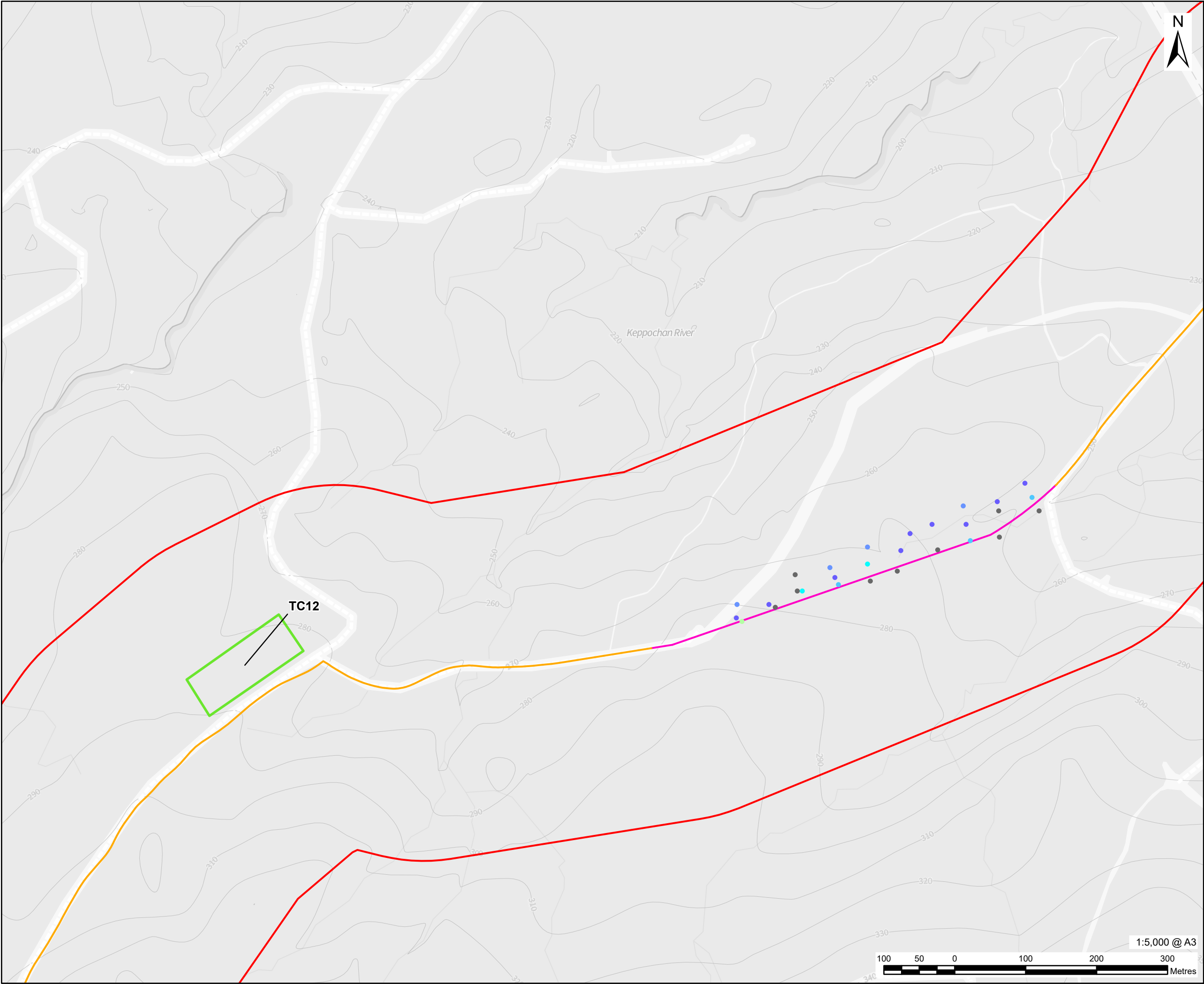
FIGURE TITLE

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FIGURE NUMBER

Figure 10.3.8

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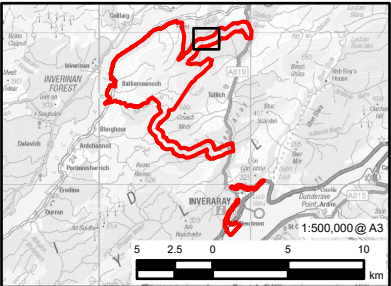
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LEGEND

- Development Boundary
- Above Ground Infrastructure**
 - Access Track - Permanent, New, Floating
 - Access Track - Permanent, Upgrade, Excavated
 - Temporary Construction Compound
- Peat Probe Depth (m)**
 - Phase 1
 - Phase 2
 - <0.50
 - 0.51 - 1.00
 - 1.01 - 1.50
 - 1.51 - 2.00
 - 2.01 - 2.50
 - 2.51 - 3.00
 - 3.01 - 3.50
 - 3.51 - 4.00
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 - 4.51 - 5.00
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 - 5.51 - 6.00
 - >6.01



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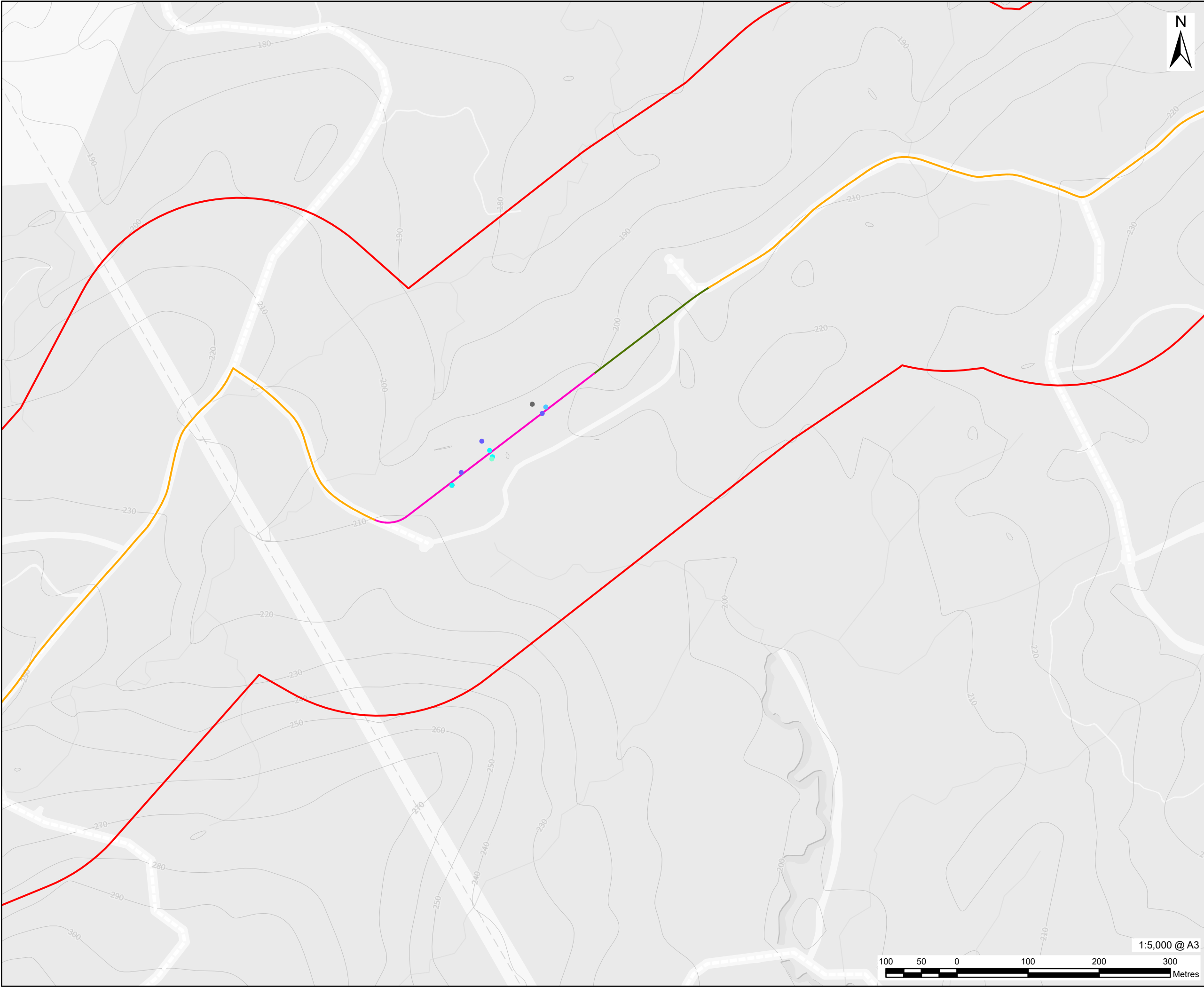
FIGURE TITLE

Peat Probe Survey Results

FIGURE NUMBER

Figure 10.3.8

Sheet 8 of 9



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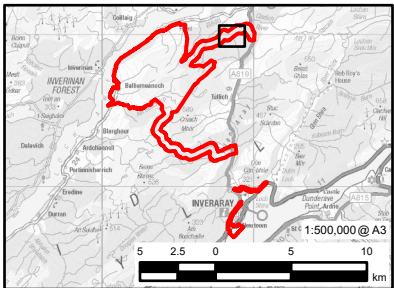
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LEGEND

- Development Boundary
- Above Ground Infrastructure**
 - Access Track - Permanent, New, Excavated
 - Access Track - Permanent, New, Floating
 - Access Track - Permanent, Upgrade, Excavated
- Peat Probe Depth (m)**
 - Phase 1
 - Phase 2
 - <0.50
 - 0.51 - 1.00
 - 1.01 - 1.50
 - 1.51 - 2.00
 - 2.01 - 2.50
 - 2.51 - 3.00
 - 3.01 - 3.50
 - 3.51 - 4.00
 - 4.01 - 4.50
 - 4.51 - 5.00
 - 5.01 - 5.50
 - 5.51 - 6.00
 - >6.01



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FIGURE TITLE

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FIGURE NUMBER

Figure 10.3.8

Sheet 9 of 9

Appendix C – Applicants Response to Raeshaw Judgment Case

The following sets out the Applicant's response to the open comments from the ECU dated 31st March 2026, following the Scottish Court's decision in the case of Raeshaw Farms Limited v Scottish Ministers and Energiekontor [2026].

ECU Comment No. 1: *What are the implications of the Raeshaw Farms judgment with regards to the above application?*

Response:

Our understanding is that the Raeshaw Farms decision was based on a site-specific and project-specific set of circumstances. However, two legal principles have emerged from the judgement that require consideration here. These are:

- i. That a decision maker should consider whether the grid connection and the related cable route forms part of the "project" when assessing likely significant effects on the environment, and
- ii. That it is irrational when assessing the Section 36 (S36) application to take into account the benefits provided by a grid connection but not take into account any disbenefits (or likely significant effects on the environment) that may arise as a result of the grid connection.

The implications for our Balliemanoach PSH application therefore stem from the question of whether these two legal principles apply in this case and, if they do, whether these have been addressed as part of the S36 application or not. Our view on the first of these, whether the grid connection route forms part of the 'project', is covered in point 2 below. We have also shown below that the cumulative effects of a "worst case" grid connection have indeed already been assessed as part of the EIA process. Taken together this means that the issues that arose from Raeshaw Farm have been addressed in the Environmental Impact Assessment (EIA) and EIA Report (EIAR) which accompanied the Balliemanoach S36 application.

ECU Comment No. 2: *Whether the [wind farm] and its grid connection are considered one project for the purposes of EIA – please note that where an applicant considers that they are not one project, justification will be required outlining how this conclusion has been reached*

Response:

While they have clear, separate consenting routes under the Planning and Electricity Acts, it is ultimately a matter for the Ministers to determine whether the PSH and the grid connection form one project when assessing the likely environmental effects. Although the EIAR does not expressly state that the grid connection forms part of one project with the Balliemanoach PSH, it was assessed as if it did form part of the project. A "worst-case" approach was taken, whereby the grid connection was assumed to be a straight-line overhead line from the application site to Creag Dhubh substation (described throughout the EIAR as "Balliemanoach OHL"). The cumulative effects of the grid connection were taken into account in the assessment of various chapters including those on landscape and visual impacts, ornithology, terrestrial ecology, and cultural heritage. Where no impacts were identified, such as in those chapters covering areas such as shipping, no further assessment was or is required.

ECU Comment No. 3: *Where it is considered that the [wind farm] and the grid connection are one project, have the significant effects of the project, including the grid connection, been adequately assessed in the EIA report?*

Response:

Yes. As noted above, the assessment of the likely significant effects of the project already includes an assessment of the grid connection, noted throughout the cumulative assessments as "Balliemanoach OHL".

ECU Comment No. 4: *If the significant effects have been adequately assessed, please provide further justification outlining how this conclusion has been reached.*

Response:

The LVIA assessment of the grid connection is set out in Chapter 5 of the EIAR (para 5.8.1) and confirms that the cumulative effects of the grid connection were taken into account as part of the "Cumulative Scenario 2" assessment, which includes all operational schemes, proposals at application stage, as well as those that have been consented. As the grid connection was reasonably foreseeable it was also included within this assessment.

This, therefore, provided a robust assessment of the LVIA position and a similar approach was taken throughout, such as in the ornithology (see para 9.8.1) and cultural heritage (see para 13.8.1) Chapters.

ECU Comment No. 5: *If the significant effects have not been adequately assessed, please advise what further assessments are required and the likely timescales involved in gathering this information.*

Response:

N/A – No further assessments are required and the effects of both the PSH and the grid connection have been adequately assessed.

ECU Comment No. 6: *Where it is considered that the [wind farm] and grid connection are not one project, has any consideration been given to any likely significant cumulative effects of the proposed development and its grid connection?*

Response:

As outline above, it is for the Ministers to determine whether the Balliemanoach PSH and grid connection form one project, however, the cumulative effects have indeed been assessed within the EIAR.

ECU Comment No. 7: *Are all likely significant effects of the project identifiable at this stage?*

Response:

As the grid connection route has not yet been confirmed it has been assessed on a “worst-case” basis of a straight-line overhead line, ensuring that the likely significant effects have been assessed.

ECU Comment No. 8: *If the answer to above question is “no”, please provide justification outlining why are the significant effects not identifiable at this stage and how should the Scottish Ministers address that issue in determining the present application?*

Response:

N/A – Scottish Ministers can determine the present application with a complete understanding of the likely environmental impacts of the PSH project and the cumulative effects together with the grid connection on a “worst-case” basis.